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ADDRESS TO THE ELECTORS OF THE COUNTY OF  
GRENVILLE BY F. J. FRENCH, Q. C.

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# To the Conservative Electors of the County of Grenville.

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GENTLEMEN,—I recently addressed to Mr. Orlando Bush, M.P.P. for Grenville, the following letter :

Prescott, August 29th, 1896.

O. BUSH, Esq., Kemptville, Ont.

SIR,—In the interests of party politics and party rectitude, I feel myself in duty bound (convinced as I am of the truth of the charges made against you on nomination day, 1894,) to call upon you to carry out the pledge that you gave upon that, and upon subsequent occasions to prosecute the persons whom you alleged to be guilty of libelling you, and to make good your assertion that the letters alleged to have been written by you over your own hand and signature were forgeries, and that the statements made by the various Grit declarants verifying those letters were false.

I would draw your attention also to the article in the Brockville Times shortly before the last general local election, in which that paper undertook, on your behalf, that the alleged libellers would be prosecuted. The fall courts are now coming on and it is the proper time to fulfil your promise to the electors and screen yourself before the next election from the charges made against you. If you are not able to do this the season is ripe in the interest of the Conservative party that it should be *purged* of all persons guilty of the like offence against party, if not public morality.

Yours, &c.,

(Signed) F. J. FRENCH.

MR. BUSH, instead of acting on the suggestion, has under date 7th September, addressed the following reply :

Kemptville, Sept. 7th, 1896. . .

F. J. FRENCH, Esq., Prescott.

SIR, Your letter of the 29th of August to hand, contents noted, and in reply would say that I do not consider it necessary to go to the courts to defend my reputation, politicaly, *morally* or otherwise. The electors of the County of Grenville whom I have lived among all my life, and have done business with many of them, thus have *honard* me with public positions for the last eighteen years, and *there* verdict at the last Local General Election was sufficient vindication of my reputation, notwithstanding the false accusations made against me by the Grits.

You speak of morality. I would suggest that you defend your own reputation. I have repeatedly heard in your own town and through the country reports (if they be true) reflects very much on your moral character as a man and a citizen. Any further correspondence from you on this matter will be treated by me with silent contempt.

Truly yours,

(Signed) O. BUSH.

The words in italics are as to orthography and diction not changed from the original, the same may be said of the letters which the Grits published against

Mr. Bush after his nomination on nomination day, 1894, when it was too late for the Conservative party to change their nominee.

The letters are herewith republished as authentic, in order to give Mr. Bush an opportunity to disprove them, or prove the slanderous insinuations in his letter written to me after ten days meditation.

Brockville, May 8, 1890.

M. K. EVERETTS, Esq.

DEAR SIR,—If in the approaching Provincial Election in Grenville, at which I promise to be a candidate (provided no Liberal is nominated) you will give me your support and influence and do all you can to elect me, I will in return do all I can to further your interests as a candidate for North Leeds and Grenville in the next Dominion Elections. I will speak as strongly as I can in your favor at all Farmers' Institutes and public meetings of that character between now and the Dominion Elections, and will in every other way that I can further your interests as such candidate at said election. You are to use all your influence to prevent a Liberal candidate from being put in nomination at said Provincial Election.

(Signed) O. BUSH.

The above letter was prepared by O. K. Fraser, brother of the late Hon. C. F. Fraser, as the compact between the Grits and Mr. Bush, but on C. F. Fraser returning and learning that Everetts had the compact in his possession, the late Mr. Fraser insisted before withholding his candidate, that his brother should get the following letter. Mr. Fraser on receipt of this letter, at once instructed his friends in Grenville to "beat French" at all hazards.

Kemptville, May 14th, 1896.

O. K. Fraser, Esq., Brockville.

DEAR SIR,—In reply to your letter of the 12th addressed to Friend Everetts, I would say that I have no hesitation in

pledging myself to be a candidate at the present election in the County of Grenville against French, providing no Liberal is nominated you can rest assured that I will stand the contest until the last vote is *poled*. I remain yours

Most respectfully,

(Signed) O. BUSH.

I care nothing for the declarations made by Mr. Bush's Grit chums of 1890, suffice it to say the letters were written and the one of date 14th May, 1890, I have seen and it is in Mr. Bush's own hand writing, and that alone shows the company he consorted with on that occasion. The worst part of the transaction was his repudiation before the face of the whole people on nomination day, of the fact that he had written or signed the letters, and threatening to prosecute O. K. Fraser and others for libel.

Mr. Bush has not made any reply to the following letter :

Prescott, Sept. 18th, 1896.

O. BUSH, Esq., M.P.P., Kemptville.

SIR,—Notwithstanding that you have entrenched yourself within the walls of the high sounding attitude of "silent contempt," I have to demand at your hands a particular specification of the base insinuations and innuendoes contained in your reply of 7th inst. I raised not any question of private character, private morality, or public morality, rather my communication to you clearly shews that I characterize your offence as one against party politics, party rectitude, and party morality.

Your *tu quoque* reply raises a Coward's defence, a concealed threat to throw mud. This will not deter me from my course, and again I demand a specification of the breach against morality you insinuate I, as a man and a citizen, am guilty of, that I may put you to the proof thereof. I know emissaries of yours (perhaps unauthorized) have deliberately sought to injure my reputation among the people who so long have been my neighbors and

in the county of my birth, but this is the first time I suspected that you were base enough to father their lying and malicious statements.

Yours, &c.,

(Signed) F. J. FRENCH.

GENTLEMEN, ELECTORS OF SOUTH GRENVILLE,—Who so long honored me with your confidence, I no longer seek your votes or influence to elect me to the Local Legislature, but as one of yourselves I wish to be decently represented in that body, which should be composed of honorable men on both sides. So long as the Conservative party accept as a member in their ranks,—a man guilty of the charges laid against Mr. Bush,—I have very little hopes for the Conservative party. Should the Conservative party, by gross negligence or utter indifference, as in the past has happened, allow this man to be put in nomination again as the party candidate, notwithstanding the 700 Conservative majority in this County, the party deserves *to be beaten*. I do not know of a single man in South Grenville who desires the position, but in North Grenville I hear there are several. I trust the Conservative party, united from both ridings in convention. will select a good man from the North Riding instead of Mr. Bush. Certainly if the party do not, —whether it amount to much or little,—my co-operation cannot be counted on.

I append the declarations by Messrs. Fraser and Fulford, verifying Mr. Bush's letters, and I publish this correspondence and documents in the public interest concurrently with an address intended for circulation in the county before last Convention, but which, owing to my having to attend the assize courts at a distance, I was not able to get before all the electors fairly before the Convention.

Dominion of Canada,  
Province of Ontario,      To WIT :  
County of Leeds.

In the matter of a certain agreement between Orlando Bush, a candidate for the Local Legislature in the Riding of Grenville in the election to be holden on 26th June, 1894, and M. K. Everetts.

I, OLIVER KELLY FRASER, of the Town of Brockville, in the County of Leeds, Barrister at Law, do solemnly declare that I was requested on the eighth day of May, 1890, to meet said Orlando Bush in Brockville to discuss matters connected with his candidature in said election, and that by appointment I met said Bush in the office or store of G. T. Fulford in Brockville, and while there, at the request of said Bush, and said Everetts, drafted a letter, a copy of which is hereunto annexed marked "A", which said letter was addressed to said Everetts and was signed by said Bush in my presence and in the presence of John H. Fulford, of Brockville, merchant; James Robertson, ex-deputy Sheriff, and the said M. K. Everetts.

That the paper writing hereunto annexed marked "A" is a true and correct copy of said letter.

That said letter was written and signed by said Bush in pursuance of an arrangement between said Bush and said Everetts in presence of myself and said Fulford and Robertson.

That the assertion (if made) that said letter is a concoction or the result of a conspiracy to injure said Bush, or that said letter was not signed by said Bush, is an absolute and unqualified falsehood.

That about the same time and whilst these negotiations were going on, the said Bush gave myself and the gentlemen mentioned, to understand that he would give the Mowat Government an independent support, and on that understanding we gave him support.

That I saw said letter within one month and I have reason to believe and do believe that said letter is now in possession of said M. K. Everetts.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of "The Canada Evidence Act, 1893."

(Signed) O. K. FRASER.

Declared before me at the Town of Brockville, in the County of Leeds, this twentieth day of June, A. D. 1894.

(Signed) I. N. MARSHALL,

A Commissioner, &c.

Dominion of Canada,  
Province of Ontario,      To Wit :  
County of Leeds.

In the matter of a certain agreement between Orlando Bush, a candidate for the Local Legislature, in the election now pending in the Riding of Grenville, and one M. K. Everetts.

I, John H. Fulford, of the Town of Brockville, in the County of Leeds, Merchant, do solemnly declare that I have read the declaration of Oliver Kelly Fraser, herein dated this day, and referring to said agreement between said Bush and said Everetts, and the copy of the letter therein referred to.

That I was present when said letter was written by said Fraser and signed by said Bush, and there were also present M. K. Everetts and James Robertson and said Fraser.

That I have seen the original of said letter within one month, and that said copy attached to said declaration of said Fraser is a true copy thereof.

That I saw said Bush sign said letter and that the agreement referred to therein was discussed in my presence by said Bush and Everetts.

That I believe said agreement or letter is now in the possession of said M. K. Everetts.

That said Bush led myself and the other persons present to believe that said Bush would give an independent support to the Mowat Government, and for that reason I aided in his election.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of "The Canada Evidence Act, 1893."

(Signed) JOHN H. FULFORD.

Declared before me at the Town of Brockville, in the County of Leeds, this twentieth day of June, A.D. 1894.

(Signed) I. N. MARSHALL,

A Commissioner, &c.

At the Convention in 1894 I bade farewell to local politics, though by no means ashamed of the support my old friends in South Grenville gave me *unsolicited* on that occasion. I still adhere to that determination, forced though it may be by the want of support from North Grenville. I thank my South Grenville friends for my political birth and any little measure of success that attended it, and I have Mowat's Redistribution Bill annexing us to North Grenville, to thank for my political *death*, as it rendered such a rascally combination as Mr. Bush made with Mr. Fraser possible. I am satisfied there is no man in South Grenville that would be guilty of the like rascality.

Yours most respectfully,

F. J. FRENCH.

Prescott, 14th Nov., 1896.

# To the Electors of the County of Grenville.

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GENTLEMEN,—In a very few weeks you will be called upon to elect a representative to the Provincial Legislature. The contest, as all future contests in Grenville, as now constituted, will not be a strictly party one. The large majority of 550 with which you honored me as the candidate of the Conservative party in 1886, shows how hopeless a task the Reform party have before them in any attempt they, in their wisdom and within their right, may make to elect a party candidate of their own. The discomfiture of the Conservative party, by any expedient, such as was accomplished at the last general election, is all they can hope to attain. Reformers recognize this fact, and at the last election, when more bitterness prevailed than I think can be foreshadowed at the coming election, even my personal friends among the Reformers, voted for my opponent, who naturally divided the Conservative vote as well. This, I trust, under similar circumstances, will never re-occur, as it is to be hoped one Conservative will not be found opposing another again.

I have been asked generally, i.e., by Conservatives and Reformers alike, to contest the coming election before the whole body of the electorate. This I decline to do without the nomination of my own party.

To-day I am unclothed and naked politically as I was in 1879 when I first entered public life. Until the Conservatives of Grenville, as was done on that occasion, see fit to nominate me as their candidate, I will not seek the suffrages of the whole electorate.

Should my old time friends show me, in convention, that they intend to be at my back as of yore, in the coming contest, I am prepared to say to you, the electors of Grenville, that I am willing to re-enter public life and to serve you as I endeavored to do in the past. I will not promise better service, because to the best of my ability I have served you, and I can do no better.

On one or two questions I have been maliciously misrepresented. I cannot do better in repudiation, than to call your attention to my expressions and

attitude on certain public matters, during my public career, which I venture to say, were free from bitterness, bigotry or self interest. I am still willing to stand or fall by my record in the past. A public lecture in part delivered by me in 1891, and the purport of my observations in the House on the law of Separate Schools, I have published and issued herewith, and I venture to say that no reasonable man will assert that they contain anything offensive to any class of my fellow citizens. These were always, and are my sentiments still.

I append also the returns of the polling in Grenville during the last Provincial and Dominion elections, showing that within the limits of Grenville at the Provincial election of 1890, 1600 voters, or thereabouts, absented themselves from the polling booths as compared with the vote polled at the ensuing Dominion election of 1891.

This lack of interest in Provincial affairs is not much encouragement to an old public servant to re-enter public life. To offset this very unpromising feature, as it is altogether likely a triangular fight will occur in Grenville in May or June, when the elections are called on, it is advisable that the Conservatives should meet in convention at an early date, and name their candidate. Convention day is of more importance than polling day, to the party concerned. It has been arranged that the Conservatives of each polling-subdivision are to meet at or near the polling booth in each polling subdivision on an evening before the convention day, to be named by the

executive of the association, and are to elect two delegates at the meeting who will attend at Spencerville on convention day, to name the Conservative candidate. The chairman of each polling division has been named, but unless elected at the meeting to attend at Spencerville, he is not merely by reason of being chairman, a delegate. It would be well to have this understood, as some gentlemen who are chairmen might, through a sense of delicacy and modesty of feeling, hesitate about signing their own certificates or credentials. Let these delegate meetings be fair, open, and above board and let representative men be sent and I fear not, nor will I quarell with the result, as I only desire nomination in the event of a strong feeling that I should be the candidate being manifested at the polling meetings and at the convention.

Spencerville was selected as the most central point by the executive of the association. Trains from north and south, connecting at Kemptville Junction, reach Spencerville before 9 a.m., and leave about 2 p. m. Ample provision, I understand, will be made for the accomodation and comfort of the delegates during their visit, although there is not a licensed hotel in the village. The town hall of Edwardburgh will be used for the meeting, and ample refreshments obtainable.

Arrangements will also be made to have some of the prominent Conservatives now assembled at Ottawa, present on the occasion to address the electors.



I am promised that there will be no failure on this point.

I also add to this business communication (which is not intended as an address), the names of the gentlemen whom it seems a committee have appointed to act as chairmen of the meetings to be held at each polling place or as near thereto as convenient—on the evening before the Spencerville convention, the notice of which it seems the executive are charged with issuing. I have not the honor of being a member of the executive or in any way connected with it, but am content to abide by the machinery provided, and trust that ample notice will be given of the proposed meetings—to be held simultaneously over the whole county.

Your obedient servant,

F. J. French.

Prescott, April 23, 1894.

Total votes polled in Grenville at Dominion and Local elections, 1890-91, showing absentees in Local election as per actual vote.

Municipality.	Conser.	Reform.	Bush.	French.	Absent.
South Gower .....	100	101	99	28	74
Kemptville .....	119	102	122	67	32
Oxford .....	412	250	345	175	142
Merrickville .....	85	104	79	50	60
Wolford .....	253	159	119	70	223
Prescott .....	217	275	205	172	115
Cardinal .....	143	40	52	57	74
Augusta .....	551	529	347	308	425
Edwardsburgh .....	503	459	243	272	447

Absentees at last Local election.....1593

The following gentlemen were selected to act as chairmen in the several polling sub-divisions in the county of Grenville by a special committee ap-

pointed for that purpose in July, 1891 :

Prescott—West Ward, I. W. Plumb; Centre Ward, James Cairns; East Ward, William Wert.

South Gower—Sub-Division, No. 1, Hugh Hughes, Heckston; Sub-Division No. 2, W. A. Johnston, Kemptville.

Oxford—Sub-Division No. 1, Andrew Carson, Burritt's Rapids; Sub-Division No. 2, George Ward, Kemptville; Sub-Division No. 3, Levi Patton, Oxford Mills; Sub-Division No. 4, George Ferguson, Bishop's Mills; Sub-Division No. 5, John Johnston, Oxford Mills; Sub-Division No. 6, John Johnston, Oxford Station; Sub-Division No. 7, William Dickinson, Kemptville.

Cardinal—William Brindle, Cardinal.

Kemptville—Sub-Division No. 1, G. A. Keating; Sub-Division No. 2, Alpheus Patterson.

Wolford—Sub-Division No. 1, John R. Bates, Merrickville; Sub-Division No. 2, James Cotnam, Merrickville; Sub-Division No. 3, Edward Carnahan, Easton's Corners; Sub-Division No. 4, Peter Bates, Easton's Corners.

Edwardsburg—Sub-Division No. 1, Robert Caldwell, Pittston; Sub-Division No. 2, Thomas Baker, Prescott; Sub-Division No. 3, David Davidson, Prescott; Sub-Division No. 4, George Martin, Spencerville; Sub-Division No. 5, Neil Cook, Ventnor; Sub-Division No. 6, William J. Kingston, Glonmail; Sub-Division No. 7, Andrew Reilly, Shanly; Sub-Division, No. 8, Simon Jackson, Groveton.

Merrickville—No appointment made yet.

Augusta—Sub-Division No. 1, Geo. Bowyer, Prescott; Sub-Division No. 2, G. J. Carson, Charlieville; Sub-Division No. 3, Thomas Robinson, Roebuck; No. 4, Richard Connell, Roebuck; Sub-Division No. 5, Nat. Garrett, Garretton; Sub-Division No. 6, Harold Jones, Maitland Sub-Division

sion No. 7, A. W. Shepherd, Brockville; Sub-Division No. 8, William Newall, Algonquin; Sub-Division No. 9, Wm. Steacy, North Augusta; Sub-Division No. 10, Richard Checkley, North Augusta.

Since the first publication of the above, the executive of the association have issued a poster, calling a public meeting of the Conservative Electors of each polling division to take place on Monday 21st May, at 7 p.m., to appoint two delegates to attend the convention at Spencerville on Tuesday 22nd May at 10 a.m., for the purpose of selecting a candidate for the Legislative Assembly of Ontario. The chairmen of each division, whose names are above, will issue six posters in each poll limit, naming the exact place, which is to be at the last polling place or near thereto. In the event of the chairman not acting, the CON-

SERVATIVE ELECTORS, and THEY ALONE, are to proceed to appoint a chairman and elect delegates, and give the certificate of appointment signed by the chairman named in the list, but if he be absent or does not act, a chairman may be appointed to act in his place. It is most desirable that the chairman named act, even if *pro forma* only, as questions regarding the regularity of the meeting will thereby be avoided. I ask only at the hands of my old-time friends and new, a fair, full and representative meeting at each poll on the evening of Monday 21st inst., at 7 o'clock. If that takes place and the Conservatives attend, I will bow to their decision whether it be for me or against me.

F. J. FRENCH.

Prescott, May 15, 1894.

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LECTURE PREPARED AND (IN PART DELIVERED) IN  
1891, BY F. J. FRENCH, Q. C.

PART I.—“Organization.”

PART II.—“The Relations of the English and French  
Speaking People of this Dominion.”

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# Lecture on "Organization," "French and English."

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To the Members of the Young Men's Liberal Conservative Club of Prescott:

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## PART I.

### ORGANIZATION.

GENTLEMEN,—A short time prior to the opening of your club, I was honoured by an invitation from your worthy President to deliver an address at the formal opening. Owing to a temporary indisposition at the time I was, I regret, prevented from accepting the invitation. I, in sending my regret, promised, if agreeable to you, that I would at some future time be most pleased to address you on some subject that I trusted would be of interest sufficient to command your attention, notwithstanding that it would not be surrounded with the eclat and ceremony which I am happy to know, attended that occasion.

I am here to-night at your request in fulfilment of that promise, and let me in the first place, congratulate you on the spirit and enthusiasm which have been manifested by the young Conservatives of Prescott and vicinity, in the organization of your

club and the objects for which it has been established; you have lots of room and and scope for good work and operations towards the advancement of the interest of your party, notwithstanding that for many years past, we have had in the officers of the Liberal Conservative Association of South Grenville, a band of zealous and earnest workers whose efforts have not, since I have been honoured with the position of presiding over their work and deliberations (in 1879) met with a reverse, and this too, accompanied by the fact that there has been no assessment on the party as a whole during all that time—in other words, "The hat has not gone round" for contributions to defray the expenses, not inconsiderable, of meeting the cost of the revision of the voters' lists, attending Courts of Revision, paying and getting witnesses to court, and other necessary and legitimate expenses of such and other work. This has been done by hard working and industrious members of the party voluntarily, and I

cannot allow this opportunity to pass without certifying to the liberality and zeal shown by that great and good man, our late and lamented representative, W. T. Benson, Esq., when occasion required; and to the further fact, that the disbursements of the last revision of the Dominion lists, which largely contributed, together with the fact that we had a young, good and popular candidate, to our success, were defrayed without one word of objection or remonstrance by our late worthy representative, W. Shanly, Esq. On the contrary, he complimented the Association on the expenses being so light.

I refer particularly to this subject on opening, and before I begin my address, for the reason that I wish to impress upon you, young Conservatives, the absolute necessity there is that you, from your central position here in Prescott, should be instrumental in seeing that every Conservative is enrolled and entered on the voters' list as soon as he comes into this constituency to reside, or grows up to man's estate in our midst. The franchise is now so extended that no person, be he twenty-one years of age and a British subject, need be without a vote.

It is needless for me to say that those of us who have been in harness in this matter, and I have been at it now for twenty years, would be glad to see you younger men relieve us largely of the responsibility—only referring to us for counsel and advice when occasion may require. You have an efficient president, J. K. Dowsley, Esq., trained, I may say, in every particular to my own liking, which training, in addition to his earnestness and zeal, he has never failed to manifest. Your secretary, Mr. T. K. Allan, was brought up in the right school, You have among you, young men in scores, of education and intelligence, capable of performing great work in this

direction; and let it be understood that from this time forth, if there be any omission or neglect in respect to registration of Conservatives on the Voters' Lists, the responsibility will rest upon you. Think of the condition twenty years ago, when this matter was begun in earnest, our opponents had for years been getting in their work through partisan assessors. I remember well the first Revision Court I attended in the Township of Augusta; the municipal councils then did this work, since then there have been great improvements by reason of the judges being clothed with extended powers and more direct machinery to perfect the lists. The Township of Augusta, was, at that time, hopelessly opposed to us so far as the Councillors were concerned, Mr. John Chapman, the late worthy Reeve, being the only Conservative on the Board. Edwardsburgh was equally in as bad a state, although Cardinal, that banner municipality, had not at that time been separated from the township. Prescott has always been Reform in elections within my experience, except at my own election, and our victory against Hon. C. F. Fraser in 1879, when I had a majority of 21 in Prescott, in fact a majority in each ward, a result that would surprise me or any other Conservative nowadays. In fact, Prescott is getting worse; so you see the work you have to do at home. Mr. Reid was in a minority in Prescott of 57 recently.

The result of our first Court of Revision in Augusta was that at the next succeeding Municipal Election the "Dumbrille" ticket carried the township, and since that time the Conservatives have been solid in the Council, and strength there now is their only weakness. Let it be one of your objects to cure all dissensions in that township. Edwardsburgh was slower in coming to the front,

but she came, and I think to stay. Personally to-day, giving it only as my individual opinion, I have more confidence in the party fidelity of the men of Edwardsburgh than of any other part of the Constituency, and I have never forgotten the steadfastness to myself personally of the Conservatives of Shanly.

The first election we had for Parliament after this work was begun, was in 1878, Dumbrille vs. Wiser. At that election we had a clear Conservative majority on the lists; a large majority in Augusta, I think 125; in Edwardsburgh we were nearly even; a slight majority against us in Prescott.

We expected in Prescott a larger majority against us than there was, but the result was that Augusta kicked, and she kicked the hardest at Roebuck, and Dumbrille's expected majority of 125 in Augusta vanished down to 45, and we lost the election by 25 to the standing disgrace in the eyes of the whole of Canada at the time, and Roebuck was responsible for it. As South Grenville was the only constituency that was looked upon as a black sheep from Montreal to Toronto in that grand upheaval of public indignation against the Mackenzie Government, and the little constituency of South Grenville was the sole patch colored "Green" on the river St. Lawrence, as laid down on a party map of the Dominion, published shortly after distinguishing

the Grits Ridings "Green" and the Tory Riding "Red."

The local election, my election against Mr. Fraser of 1879, followed afterwards on lists not quite as well attended to, and in June 1879, South Grenville was redeemed by a majority of 137, and has stayed redeemed. May she by your, and all good Conservatives' aid, ever remain in the folds.

I have dwelt at such length on this preliminary question that I fear I have wearied you before reaching my subject—a subject of vast compass, one I scarcely know why I have the presumption to approach, knowing the pit-falls one is liable to fall into, and the misconstruction that is apt to be placed upon one's remarks; but I have felt anxious in this address to treat feebly though it be, upon the relations of *The English and French speaking people of this Dominion*, and the policy in respect thereto which has guided Britain, and I may say the Conservative party, under the guidance of its leaders in Canada in the past, and which should, in my humble judgment, guide the people, the Government and the leaders of the party in the future. The first branch of the subject, composed of history and facts, I will treat at some length. The second branch, "My Opinion," will be very brief and confined to a mere expression of opinion on that policy.

## PART II.

I will not throw you back into history farther than that period, say 1750, when George Washington had ceased to mutilate his father's apple trees, had arrived of age, and was a major in the service of the King of England. Those were anxious times in America. The French, though less numerous than the English colonists, were more active and united, and seemed to have more success in alluring the sympathy of the savage Indians. The French were complete masters of what was then known as Canada; and they claimed besides that vast territory in America known as Louisiana, and they further set claim to all land lying west of the connecting trail or way from Oswego to the Mississippi. On the other hand, the English colonies were divided in interests, had separate governments, held under different and distinctly vague charters. Their confines on the Atlantic Sea Coast were, as a rule, marked by degrees of latitude and lay between such degrees, but on the west, there was no limit except the Pacific Ocean. Hence the conflict as to boundaries between the French and the English; not so far as Canada was concerned, then totally French, but as regards the limits of the British Colonies on the west. It was at this period that Washington, though only 21 years of age, was selected by the Virginians to lead a body of militia to repress the aggressions of the French.

Of him and this first echo of the war of races then commenced, a popular novelist writes:

“It was strange that in a savage forest of Pennsylvania a young Virginian officer should fire a shot and waken up a war which was to last for sixty years, and

which was to cover his own country and pass to Europe, to cost France her colonies, to sever ours from us, and create the great western republic, to rage over the old world, when extinguished in the new, and of all the myriads engaged in the vast contest to leave the prize of the greatest fame with him who struck the first blow.”

And Voltaire said:

“Such was the complication of political interests that a cannon shot fired in America could give the signal that set Europe in a blaze.” It was not a cannon shot but a volley from the hunting pieces of a few backwoodsmen, commanded by a Virginian youth, George Washington.

### FRENCH AND INDIAN WAR.

The circumstance which served to open the war was the alleged intrusion of the Ohio Company upon the territory of the French. This Company consisted of a number of influential men from London and Virginia, who had obtained a charter grant of 600,000 acres of land, on and near the Ohio River, for the purpose of carrying on the fur trade with the Indians and of settling the country.

The Governor of Canada had early intelligence of the transactions of this Company. Fearing that their plan would deprive the French of the advantages of the fur trade, and prevent communications between Canada and Louisiana he wrote to the Governors of New York and Pennsylvania, claiming the country east of Ohio to the Alleghanies, and forbidding the further encroachments of the English traders.

The Ohio Company, thus threatened with the destruction of their fur trade, were now loud in their complaints. Lieut.-Gov. Dinwiddie of Virginia, to whom these complaints were addressed, laid the subject before the Assembly, which ordered a messenger to be despatched to the French commandant on



the Ohio to demand the reasons of his hostile conduct, and to summon the French to evacuate their forts in that region.

The person entrusted with this service was George Washington, who at the early age of twenty-one, thus stepped forth in the public cause, and began that line of services which ended in the independence of his country.

The service to which Washington was appointed was both difficult and dangerous; the place of his destination being above 400 miles distant, 200 of which lay through a trackless desert inhabited by Indians. He arrived in safety, however, and delivered a letter from Governor Dinwiddie to the Commandant. Having received a written answer and secretly taking the dimensions of the fort he returned. The reply of the Commandant to Governor Dinwiddie was that he had taken possession of the country under the direction of the Governor-General of Canada, to whom he would transmit his letter, and whose orders only he would obey.

The British Ministry, on being made acquainted with the claims, conduct and determination of the French, without a formal declaration of war, instructed the Virginians to resist their encroachments by force of arms. Accordingly a regiment was raised in Virginia, which was joined by an independent company from South Carolina, and, with this force, Washington, who was appointed to command the expedition, and was now raised from the rank of major to that of colonel, marched early in April, 1754, towards the Great Meadows, lying within the disputed territories, for the purpose of expelling the French. The enterprise of Washington and his troops was highly creditable to them, but the French forces being considerably superior, he was obliged to

capitulate, with the privilege, however, of returning with his troops to Virginia.

During the night, July 4th, articles were signed, by which Washington was permitted, upon surrendering the fort, to march with his troops unmolested to Virginia.

Such was the beginning of open hostilities, which was succeeded by a series of other hostilities characterized by the spirit and manner of war, although the formal declaration of war was not made until two years after.

The British Ministry perceiving war inevitable recommended the Colonies to unite in some scheme for their common defence. Accordingly a convention of delegates—the first congress was held at Albany, 1754, and a plan of union adopted resembling in several of its features the present constitution of the United States.

The plan thus matured was approved and signed on the 4th of July, the day that Washington surrendered Fort Necessity, and twenty-two years before the Declaration of Independence by all the delegates, excepting those from Connecticut, who objected to the negative voice of the Governor-General.

Although the plan was rejected by the Provincial Assemblies they declared, without reserve, that if it were adopted, they would undertake to defend themselves from the French without any assistance from Great Britain.

Early in 1755 the Colonies commenced vigorous exertions against the French, one against the Acadians or French inhabitants of Nova Scotia, the sufferings of whom are so beautifully portrayed by Longfellow in "Evangeline," although sad havoc is made with history for the sake of adding beauty to the story.

A second was against the French in Ohio where Washington had been the previous year, a third against Crown Point and

along Lake Champlain, and a fourth against Niagara.

These expeditions are illustrative of the historic fact that at that date the French in North America occupied and claimed title to by far the larger portion of the territory now comprising both the United States and Canada and that the British possessions undisputed consisted of a border line as it were along the Atlantic sea coast.

Nova Scotia was subdued, Ohio and the West remained French by reason of the defeat and death of the British general, Braddock. It was in this expedition that Washington by his masterly covering of the retreat of the regulars by his Virginian militia and saving them from total destruction earned and afterwards reaped the reward from his contemporaries of that period.

The Crown Point expedition was a success and served to restore confidence in the British notwithstanding the discomfiture of Braddock.

The Niagara expedition was abandoned.

In 1756 war was formally declared. The Marquis De Montcalm had command of the French forces. The British met with disaster, Oswego was lost, the massacre at Fort William Henry took place, and things went bad with the British colonist till Pitt, Lord Chatham, assumed the reins of power in England and "breathed a new soul into the British Councils." Louisburgh, Ticonderoga and Fort Du Quesne, (now Pittsburgh), on the Ohio, all were attacked, and, notwithstanding Abercrombie's defeat at Ticonderoga, the campaign closed with honor to the colonies and to the nation in general. Wolfe was present at Louisburgh and largely contributed to the success of the attack on and victory there.

In 1859 General Amherst had succeeded

Abercrombie as commander in chief, and Ticonderoga fell a prey to the prowess of British arms in July of that year. In the same month Niagara was placed in British hands by the army under General Prideaux.

And on the 13th September, Wolfe and Montcalm met on the Plains of Abraham, not by "accident", as I have heard a member of the Crown designate that glorious battle of Quebec.

Both of these great generals met their death on that day, and a monument to their joint memory stands to-day on the battle field, erected by a united people, British and French, which ought, as long as time lasts, be emblematical of the blending of the two people, who had previously been so long at war. I will not dwell on the incidents of the battle or the details of these two great men. They are familiar to every school boy.

"His death," referring to Wolfe, says Professor Silliman, "Has furnished a grand and pathetic subject for the painter, the poet and the historian, and undoubtedly, considered as a specimen of mere military glory, it is one of the most sublime that the annals of war afford."

Montcalm was, in every way, worthy of being the competitor of Wolfe; in talents, in military skill, in personal courage he was not his inferior, nor was his death much less sublime.

General Murray succeeded to the command of the English garrison at Quebec, and after a bloody battle fought at Sillery, three miles above Quebec, on 28th April 1760, in which the French gained the advantage, the English retreating to Quebec, siege was laid to the city by the elated French and Canadians, and Canada was again on the eve of being recovered by the French. But in May an English squadron arrived, the French fleet was destroyed, and the siege was raised.

General Amherst in the same summer descended the St. Lawrence from Oswego, fought the Battle of Chimney Island, opposite Johnstown, and subjected all the ports to Montreal, where he joined General Murray on 6th September, and thus ended the war, which had continued six years. The French both south of the present international boundary and in Canada subsided in 1763. The Treaty of Paris was signed, by which all Nova Scotia, Canada, the Isle of Cape Breton, and all other islands in the Gulf and River St. Lawrence were ceded to the British Crown. The Treaty did not extend to Louisiana, but the Americans subsequently obtained the French claims from Napoleon after the revolution.

I have thus far endeavored to give what is no doubt familiar to many of you, a few of the leading incidents which have led to the union of the two people.

As I said before, it has not been the result of an "accident". The prowess of British arms has had something to do with it, but in the light of succeeding events, particularly the American revolution, I think we must attribute the greater part to Providence, that is, if we, as good Conservatives and good British subjects, thinking British connection worth something besides mere sentiment. For certain it is if it had not been for the firm stand taken by Britain's new subjects, the French in Canada, at the time of the American Rebellion, there would have been no Canada for the U. E. Loyalists to flee to, and no Dominion to-day.

Let us briefly glean from history the conduct of the French Canadians, between those two periods, namely, the fall of Quebec and the American Revolution.

In the archives of 1889 appear two remarkable documents. General Murray, you will remember, was left military com-

mandant at Quebec. He was recalled, owing to the complaints of the British that he favored the French Canadians. One was the petition of the Quebec traders to His Majesty, calling upon the Government of Britain to recall from his post at Quebec, Général Murray. This petition of the Quebec traders was endorsed by a petition signed by certain firms and business men calling themselves London merchants residing in London, but, describing themselves as interested and trading in the Province of Quebec in North America. The military government, under the control of General Murray is the chief ground of complaint, and the songs of the petition are that "His Majesty would be pleased to order a House of Representatives chosen in this, (meaning Canada), as in His Majesty's other provinces, (now the U. S. A.), there being a number more than sufficient of loyal and affected Protestants, exclusive of military officers to form a competent and respectable House of Assembly." And, the petition closes with the representation that His Majesty's new subjects, meaning thereby persons of French birth as distinguished from British subjects, might be allowed to elect the Protestants without burthening them with such oaths, as in their present mode of thinking they could not conscientiously take. Thus early was the attempt made to make Canada a Protestant country, as Britain then was more than she is to-day, for you will remember that then no Roman Catholic could hold office in England.

On the other hand the petition of the Seigniors of Quebec to the king sets forth that "they, as well in their own names, as in those of all the inhabitants, and their tenants penetrated with grief at the departure of His Excellency, the Honourable James Murray, whom they had, since the conquest of this province, loved and respected, even more on account of his

personal qualities than as their Governor, believe that they would be unworthy to live if they did not strive to make known to His Majesty their Sovereign, and to the whole of England the obligations they owe him, which they will never forget, and the sincere regret they feel at his departure. His Majesty's new subjects further submit that General Murray's enemies cannot charge them with being flatterers. He, the upright Governor, has gone and everything assured them that he had gone without leaving any hope that he would return. That the cabal formed by a certain number of His Majesty's old subjects had triumphed, at least it flattered itself that it had, and was rejoicing. Its false complaint had been listened to. Shall theirs, the complaint of His Majesty's new subjects, be refused a hearing? Shall a very small number outweigh the greater?

That the Honorable James Murray in 1759, surrounded by Canadians, whom he must have regarded as his enemies, has had only indulgence for them. From that time he had gained their hearts. His generosity, and that of his officers animated by his example, by the charity they distributed, drew the population from the misery into which the misfortunes of war had plunged it and forced us to admire and respect him.

After the complete conquest of the Province, he, by his affability, compelled us to love him. He established in this government a military council composed of upright officers, who, without prejudice and without any emolument, have decided, or rather have reconciled, litigants, and that there was in no instance an appeal from their decisions."

The petition, which is lengthy, is highly laudatory of General Murray from the beginning to its close. And, in referring to the appointment of Mr.

Carleton in lieu of General Murray, they (the Seigniors) say :

"We respect Mr. Carleton without knowing him, and we will obey him since he is chosen by Your Majesty; but if he protect us; if he renders justice, and maintains justice in our rights those who are jealous of us will cabal against him, and complain again to satisfy the caprice of a handful of people who find persons in London to support them, knowing nothing respecting the subject of their discontent except what they are told. It will be necessary to appoint a new Governor every year; and we poor Canadians will be sacrificed without being able to represent our case. What idea could we have of the laws of your government ?

"We address your majesty as the father of a new people and as the protector of the rights you have granted to us. We supplicate you to accede to our wishes to retain Mr. Murray as head of this province which his valor preserved, and who, by his generosity and mildness has attached the people to him, and to send him back to us."

It would be curious to follow the result of these two petitions; it is needless to say that the petition of the Seigniors of Quebec was not complied with. General Murray was not returned. Guy Carleton was in March, 1769, installed in General Murray's place. And we find that one of his first acts was to recommend the appointment of French Canadians to the Legislative Council. He says "I have placed Monsieur de Lery at the head of the list as he gave early proof of a desire to serve His Majesty and the British interests; and that he has expressed himself in a grateful sense in the king's favor; and that great trust and confidence may be placed in his fidelity and attachment to the present government."

Further, in the despatch to Lord Selbourn, dated the 25th of November, 1769, Mr. Carleton, commenting upon the respective positions of the two peoples of this province says:

“The king’s forces in this province, supposing them complete to the allowance, and all in perfect health, rank and file, would amount to 1627. The king’s old subjects, meaning the British in this province, supposing them all willing, might muster about 500 able to carry arms, exclusive of his troops, while, on the other hand, His Majesty’s new subjects, the French, would send to the field 18,000 men well able to carry arms, of which number about one-half have already served with as much valor, with more zeal, and more military knowledge, for America, than the regular troops of France that were joined with them.

“That the common people are greatly to be influenced by their Seigniors, and such being the fact, he made a return of the noblesse of Canada, that all he expected from those gentlemen that remain in the Province was passiveness on all occasions, with respectful submission to government and a deference for the king’s commission in whatever hand it might be lodged; that this they almost to a man had preserved since his arrival, notwithstanding that much pains had been taken to engage them in parties by a few whose duties and whose office should have taught them better.”

This disposition on their part, the French ministry seem to have foreseen, as appear by the orders calculated to draw them from Canada to France; well knowing that such as remained were bound by duty and honor to do nothing against their allegiance to the King under whose government they lived, whereas those who went to France would remain steadfast French subjects.

Foreshadowing the prospects, the report further goes on to show that there was not the least probability that the present superiority over the English should ever diminish; on the contrary, “it is more than probable it will increase and strengthen daily; that the Europeans who migrate will never prefer the long inhospitable winters of Canada for the more cheerful climates and the more fruitful soil of His

Majesty’s Southern provinces,” meaning what is now known as the United States.

“The few old subjects that are at present in Canada have been left mostly there by accident and are either disbanded officers, soldiers or followers of the army who, not knowing how to dispose of themselves elsewhere settled where they were left or else, they are adventurers in trade or such as could not remain at home; so that I greatly fear as a result, that while the severe climate and the poverty of the country discourages all but the natives, but, its healthfulness is such that these multiply daily. So, that barring a catastrophe, shocking to think of, this country must in the end of time be peopled by the Canadian race who have already taken such firm root and got to such a height that any new stock transplanted will be totally hid and imperceptible, except in the towns of Quebec and Montreal.

Commenting further in a secret correspondence carried on with Lord Hillsboro, Sir Guy Carleton says that notwithstanding decent and respectful obedience to the king’s government hitherto of these new subjects he has no doubt of their secret attachments to France, and thinks that this will continue as long as they are excluded from all employments under the British government, and are certain of being re-instated, at least in their former commissions under that of France by which they chiefly supported themselves and their families. Further that when he reflected that France naturally had the affections of all these people that to make no mention of fees, of office, and the vexations of the law, that we have done nothing to gain one man in the province by making it his private interest to remain a king’s subject; and that the interest of many would be promoted by revolution.

He admits not having discovered any treasonable correspondence, nor was proof sufficient to show that it did not exist in some degree; and adds “I am inclined to think if such a message had been sent, very few are entrusted with the secret. Further, when he considered that the king’s dominion here was maintained but by a few troops, necessarily dispersed without a place of security for their magazines, for the arms, or for themselves; amidst a nume-

ous military people, the gentlemen all officers of experience, poor, without hope that they or their descendants will be admitted into the service of their present Sovereign.

"I can have no doubt that France as soon as determined to begin a war will attempt to regain Canada. But should France begin a war, and she adopt the purpose of supporting the British colonist in their independent notions, Canada will probably then become the principal scene where the fate of America may be determined. Affairs in this condition, Canada in the hands of France would no longer present itself as an enemy to the British colonists; but as an ally and a protector of their independence.

Lord Hillsboro, in a despatch to Sir Guy Carleton in January 1769, approves of the advice contained in the communications to both Selbourne and himself; and thus, at that early day began those questions, which still exist of how much, and what can be done to preserve good feeling, and the good will of the French people of Lower Canada towards the Government of the day.

#### THE QUEBEC ACT OF 1774.

The action of the contending parties led up to the passing of the Quebec Act of 1774 by the British Parliament, which was the foundation of the political system of Canada, having been less interfered with by the Imperial Parliament than any other important statute before or since. Mr. Houston, the learned librarian of the Ontario Legislative Assembly, in a recent lecture, pointed out that the French settlements were at the first very different from those of the Anglo-Saxons, whose colonies well deserved the name of "plantations." The British colonies were compact and practically self-governing, while the French settlements were scattered over a large extent of country and were governed in the minutest details from Paris. There was great difference also in the land tenure of the French and English settlements. The land in the English settlements of Virginia and New England was held in fee, while in New France it was held by feudal tenure. In the English colonies there was religious equality—every man was free to exercise his religious views, while in the French colonies there was a State church which

was a power and pillar of the Government. The motive for the passage of the Quebec Act was two-fold, a clause being placed in the preamble of the Act stating that a large tract of territory by the conquest had been by the proclamation of 1763 left without civil government, and therefore that it was necessary to extend the Province of Quebec to include these wild and outlying settlements. This was the avowed motive, but the real reason for the passage of the Act was because the Government of Lord North, seeing in the future an outbreak of war with the other colonies then on the eve of revolution, desired by conciliatory measures toward the French settlers to save as much as possible of the American settlements when the revolt of the colonies came. Consider the vast extent of the French settlements in America affected by the Act, including, as they did, the territory now included in Ohio, Illinois, Indiana, Wisconsin, Michigan, Minnesota, as well as Ontario and Quebec, analyse the provisions of the Act itself which repealed all previous enactments made by the King and his Ministers for the government of the colony. "The clauses dealing with the religious beliefs of the people, and especially guaranteeing to Roman Catholics in Quebec the same religious freedom as Roman Catholics had in England." The further power given to the Roman Catholic clergy to obtain from Roman Catholics their accustomed dues and rights as under the old French regime was dealt with. The second provision was the subject of much dispute. Some said it was conferred by treaty rights, but there was nothing either expressed or implied in the Montreal capitulation or in the Treaty of Paris of 1763 sanctioning this view. These accustomed dues and rights included tithes and the fabrique assessment system, and so really became the foundation of a Roman Catholic State Church in Quebec, which still exists, although the corresponding Protestant State Church has been swept away elsewhere and the clergy reserves sold and the proceeds devoted to other than church purposes. To disestablish the church in Quebec it would be necessary to repeal the clauses of the Quebec Act relating to this matter.

The land laws and the civil law of Quebec were allowed to remain French by the Act, while the procedure under

criminal law was changed from the French to the English system. The clauses settling the method of government and the constitution of the governing body may be alluded to, and I would point out that the Act, with the exception of the clauses regarding the governmental machinery, is still operative in Canada. It was still an open question how far the religious clauses affected or were operative in the present Province of Ontario. The settling of the problem would involve a great constitutional argument.

Such then were the conditions of the partnership entered into between the two races sanctioned by the highest authority, the Parliament of Great Britain, during the American revolution and subsequently in the war of 1812. The French Canadians remained steadfast adherents to British authority, well justifying the trite remark of Sir George Cartier "That the last shot in favor of British connection on this continent would be fired by a French Canadian." They had no love for the people to the south of them—with whom they had been continually at war prior to the surrender of Quebec. An alliance now would be contrary to their interests, as the rights secured to them by treaty and the Quebec act would have to be forfeited. To show the toleration existing on the formation of the Province of U. C. in which the British population by the access of the loyalists and others to this Province had increased and was in a majority. I would point out that one of the first acts of the new Legislature then established of which I am proud to say one of my ancestors was a member, to pass the following enactment representing the county or Stormont from 1792 to 1796, was :

Order June 3, 1793: "That all such acts as have already passed or may hereafter pass the Legislature of this Province and the Irishman from the Englishman as much as it severs the Frenchman from be translated into the French language for the benefit of the western district of this Province and other settlers who may come to reside within this Province."

Sir John A. Macdonald on reading the above in a speech he made in Parliament last session during the debate on Mr. McCarthy's Dual Language Bill said as follows :

"Are we one hundred years later going to be less liberal to our French Canadian fellow subjects than the few Englishmen United Empire Loyalists, who settled Ontario? Are we going to be less liberal? Forbid it in the name of humanity, in the name of civilization, in the name of progress of the great country I appeal to all our friends in this House, without reference to party, to forget what may be an inconvenience when they go back to their constituents on both sides, to forget that for a moment, and to merge everything in the great desire to make Canada, French and English, one people, without any hostile feeling, without any difference of opinion, further than that which arises from the different literatures and the different strains of mind that runs always in different races, and which sever the Scotchman the Englishman. Let us forget this cry, and we shall have our reward in seeing this unfortunate fire, which has been kindled from so small a spark, extinguished forever, and we shall go on as we have been going on since 1867, as one people, with one object, looking to one future, and expecting to lay the foundation of one great country."

But it will be said, perhaps, that the attitude of the Ontario Conservatives on the Separate School law and the French language question conflicts with the liberal ideas of our forefathers. I say no. We don't wish to interfere with Quebec. Circumstances have changed. The prognostications of Sir Guy Carleton as to Canada never being inhabited by a British people have not been correct. Canada to-day is the brightest jewel in the British crown. All the Provinces except Quebec are largely English speaking. The Ontario Conservatives do not seek to abolish the French language. They are all desirous that their children should learn the language, but they are at the same time unanimous that the English language in Ontario shall be the language of instruction in all schools supported by public money, and that so far as Separate Schools go—being here to stay under the constitution—they must be State schools and not annexes of the Church. Many and various are the misrepresentations—false in fact—made as to the attitude of myself and other Conservatives at the time in the Legislature.

Furthermore we were placed in the position of gratuitously insulting our Roman Catholic fellow citizens and proclaiming that we did not want their support in that agitation. This, however, is apart from my subject and may be considered as descending to matters personal to myself. Let me merely say that I am glad to know that Grenville is not misrepresented in this question to-day and although I suffered for my straightforward attitude on this question Grenville to-day, when the Separate School question was lately re-debated, responded through her representative, for the present the same way I would have done had I been honored again with her confidence, and on this platform, the Meredith platform, we mean no attack on the religion of any man, be he French, English, Irish or Scotch or German.

In conclusion let me say that the British Parliament early in our history attempted to solve this problem in the manner pointed out, the French people

and ourselves having not by "accident" but through Providence been placed here side by side. The Conservative party have the greater part of the time been the ruling power in this land. Mistakes, in the light of subsequent events, have been made. Our great leader—politician as he is, has pursued a policy of conciliation—as General Murray and Sir Guy Carleton and others did before him. Let us hope that whoever may come after him the course taken may not result in the dismemberment of this great Dominion, notwithstanding the conflict of race and religion. And while not allowing any encroachment on the original compact which should be construed in the light of subsequent events, not foreseen at the time, let us hope that we may go on to our final consummation of being one compact and harmonious people, it is true having our party differences, but at the same time having at heart one end and one object, the peace, unity and prosperity of our common country.



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• OBSERVATIONS ON SEPARATE SCHOOLS—1890.  
BY F. J. FRENCH, Q. C.

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# Observations

Made by F. J. French, M.P.P., During Session 1890,  
On Separate School Law; and the Second Reading  
of His Bill to Abolish the Right of a Separate  
School Board to Appoint a High School Trustee.

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MR. FRENCH following Mr. Awrey (on the government side) said as follows:

*Mr. Speaker:* — With the matter, or the manner in which the Hon. gentleman, who has just addressed himself to the House I have no reason to find fault, excepting the reference to my honorable friend from London, charging him with responsibility for the publication of the campaign sheet known as "Facts for the Catholic Electors" in 1883. This accusation had been time and again repudiated by him, (Mr. Meredith), and that among Honorable members should suffice. The introduction into this debate of the question of the abolition of Separate Schools by the Minister of Public Works, (Mr. Fraser), which under present circumstances was an impossibility, had burdened the issue, but I will endeavor to clear the smoke away and arraign the Attorney-General and his government before the bar of this House and the bar of public opinion on a narrower issue, the only issue, agitated or raised, or which could be raised.

The Hon. the Attorney-General, in his campaign sheet in October, 1886, addressed to the Rev. Mr. Milligan, uses this language:

"As a Protestant I heartily recognize the reasonableness and the duty of your taking an active interest in preventing *injurious* concessions to the "Romish Hierarchy" or to any other hierarchy, or to any other body."

My contention and the contention of the majority of gentlemen on this side of the House, and the opinion, I believe, of the majority of the people of Ontario is:

That the power given to the Separate School boards to appoint trustees to High School boards, and the power given to Roman Catholic priests, or their agents, to notify the assessor of the names of persons who were supporters of Separate Schools, besides various other specious amendments and additions to the original Separate School Act, are *injurious* concessions to the "Romish Hierarchy", and that, therefore, the government being responsible for this legislation, is convicted under the Attorney-General's own definition of "reasonableness", and found guilty of "injurious concessions" to the Romish Hierarchy.

But it is said the Opposition were dumb when that legislation was proposed by

the government. Under what pretense, at least since I have been a member, was the legislation brought in? In the *Globe* of 19th March, 1886, editorially, it says, in reference to the Consolidation School Bill then introduced.

“Mr. Ross said the main object of the Bill was to furnish to Separate School supporters a compendium of the law, so that they would not have to search through a large number of statutes.”

And Mr. Ross is reported as saying (Globe report).

“That the only new feature is the clause providing that a corporation may be assessed for such portion as its directors may determine in support of Separate Schools in the same way as partners are now assessed.”

Can it be wondered at that late in the session such representations made by a Minister, were taken for granted. But I do remember distinctly that objection was made by myself against the section which my Bill seeks to repeal; looking upon it then as I now do as injurious, namely the clause giving the power to Separate Schools to name a High School trustee. My objections to this clause are :

1. The council appoints all trustees under the old law.

2. The whole ratepayers, Roman Catholic and Protetsant alike, elected the council.

3. The Roman Catholics, therefore, have double representation on the High School board; by way of illustration—a case such as L'Original, where the councillors are all, no doubt, French Catholics. They would probably have all Catholics as High School trustees, and then again the Separate School Board, if one existed in such a town, would appoint another extra Catholic. This is minority representation with a vengeance, and is only equalled by the “Middle Man”, (Mr. Leys) for Toronto, sitting in this House to neutralize the wishes of the people he is supposed to represent.

Then again there is no parallel in the Public School law. Surely if it is right to give the Catholics this minority representation on the High School Board, they are entitled to it on the Public School Board, in places where there are not Separate Schools at all events.

An injustice may be done, as in Peter-

borough, where the town council had appointed a Catholic for years, as I submit should be done. The result was that parties got at loggerheads when the Separate School Board exercised this extraordinary right, conferred by this statute, and an old and valued Roman Catholic member of the High School board (in Peterborough) was not re-appointed by the Council.

The Attorney-General has said this power was given to interest Roman Catholics in High Schools, that they had no High Schools. This is a mistake, they have High Schools.

“Little objection was made to it,” so says the Attorney-General. But I did make objection. In Committee of the Whole House, I expressed, not in any spirit of hostility, but on broader lines, other means by which there might be representation of the Separate School supporters on the High School board. I reasoned that there should be no class legislation, although I did not object to representation of Roman Catholics on this board. My objection to this clause was that town and county, town and city councils appointed the High School trustees, and therefore, indirectly, all the people elected those trustees.

The Commissioner of Public Works on that occasion said that any other than the representation suggested “for his people” would not satisfy them, and he objected to my plan. I would be quite satisfied with an election by the vote of the whole people, abolishing the present appointment system.

Let us see the general effect of recent legislation as to Separate Schools.

Without going as far back as the original Separate School Act, it may be of interest to point out the various changes which have been made by legislation promoted by the Mowat government in the status of Separate Schools since the Revised Statutes of 1877 down to and inclusive of the Revised Statutes of 1887, a period of ten years. First let me draw the attention of the House to the fact that Chapter 227 of the last mentioned statutes being an act respecting Separate Schools, occupies from page 2466 to page 2498, both inclusive, or 34 pages of the last Revised Statutes and consists of 99 substantive sections with many sub-sections. The Act as it stood in the previous

revision in 1877 consisted of only 44 solid sections with scarcely any interpolation of sub-sections and only occupied from page 2138 to page 2145, both inclusive, or 8 pages of the Revised Statutes of 1877, showing that on the face of the two revisions, legislation to the extent of 26 pages has been enacted during the decade between 1877 to 1887. To dissect and analyze the various changes or "improvements", as the Attorney-General, Mr. Mowat terms them, is no easy task. The first 19 sections of both acts relate entirely to Separate Schools for Protestants and colored people, and as to these sections no radical or material change has been made, so that speaking generally it is with the remainder of the act of 1877, consisting of 25 sections, relating wholly to Roman Catholic Separate Schools, that the changes have been effected comprising 46 additional sections and covering the 26 additional pages of the statutes. Section 30 of the act of 1877 requires some attention in view of the French school question in Eastern Ontario, as by section 61 of the act of 1887, a few words are added which are significant, and probably were passed unobserved in the Act of 49, Vic. Cap. 46, Sec. 62, which Mr. Ross called a "consolidation". The additional words have reference to the qualification of teachers, and enacts that all persons qualified by law as teachers at the time of the passage of the British North America Act in the Province of Quebec shall be considered qualified teachers for the purposes of the act; the question naturally arises, was this legislation obtained at the instance of the teachers now engaged in Separate Schools. True it is that this provision was dropped out of the revision of 1877, and between that date and 1879, the law actually stood as it would if the bill of the honorable member for North Grey were now law. (Mr. Creighton has before the House a bill to make qualifications of all teachers uniform).

Then coming to section 31 of the act of 1877, and comparing it with section 40 of the revision of 1887 the sections correspond as far as the word "annually", but the additional words which made it incumbent on the trustees of Separate Schools to transmit to the clerk of the municipality a correct list annually of Separate School supporters, and provid-

ing that every ratepayer not appearing in such list should be rated as a public school supporter, have been stricken out manifestly in furtherance of the scheme that thereafter the names should be given to the assessor and that he should rate all Roman Catholics as *prima facie* Separate School supporters even without their concurrence.

Section 29 of the Act 1877 deserves a reference, but a passing one however, as it appears to have been eliminated entirely from the new Act. It was evidently intended as a protection against Separate School Boards obtaining too large a grant from the Province, and relates to permitting children from other sections attending a Separate School; as this section is now not law, the question arises to what extent its provisions are evaded for the purpose of securing a larger grant than was originally intended? Sections 37 and 41 of the Act 1877 corresponding with sections 59 and 62 of the Act 1887, fix the Government grant on the average attendance as based upon returns made to the Minister of Education. Section 29, above referred to, enacted that certain children, (not the children of Separate School supporters) who attended as outsiders, should not be included in such returns; the repeal of this old section 29 is therefore significant, and deserves looking into as one of the "improvements."

Sections 39 and 40 of the Act 1877 seem to have no counterpart in the new revision. The old law was, that unless a Separate School was established within three months after the election of trustees the election became void; why this additional "improvement", unless to enable a Roman Catholic minority by threat of establishing a Separate School in a section without any intention of carrying it out, gaining some point, either in the naming of a teacher or in school management.

These points cover some of the "improvements" in the Act which have not received much attention, if any, at the hands of the press or public; the other perhaps stronger points are dwelt upon at length frequently in this debate and in the press.

The great and leading question is whether by legislation, a Roman Catholic is made now *prima facie* a supporter of a Separate School. The legislation that

has led up to the controversy is to be found first in 40 Vic., Cap. 16, Sec. 13, revised 1877 at page 2047, and in 1887 at page 2419. The first enactment was that it should be the duty of every "Township Council" to cause the assessor in preparing the annual assessment roll of the township, and setting down the school section of the person taxable, to distinguish between Public or Separate, and in setting down his religion to distinguish between Protestant and Roman Catholic, and whether supporters of Public or Separate Schools.

A mistake by the assessor in one of these particulars, was by this section clearly triable by the Court of Revision. But notice the following saving clause Sub. Sec. A. The foregoing provisions shall be constructed so as not to affect or impair any of the provisions of the Act respecting Separate School, and it shall be optional with the trustees of each Separate School established under the said Act, or the acts heretofore in force in that behalf to avail themselves of the foregoing provisions of this Act instead of those specially prescribed in the said Acts for the purpose of ascertaining the supporters of their respective Separate Schools in such municipality, and the taxes payable by such supporters and the collection thereof, and in cases where such option is exercised by the trustees *compliance with the special provisions of the said Act shall be unnecessary*, but the trustees, in order to avail themselves of the foregoing provisions of this Act, shall give notice of such intention to the Clerk of the Municipality, at least one week before the time prescribed by the assessment Act for preparing the assessment roll.

Next in order is the famous amendment of 1879 made just prior to the general elections of that year; very few of the present members of the House, only four on this side of the House being then members; it is Cap. 32, Sec. 2, Sub. Sec. 5 (5). "In any case where the trustees of any Roman Catholic Separate School avail themselves of the provisions contained in the seventy-eighth section of the Public Schools Act for the purpose among others of *ascertaining* who are the supporters of Separate Schools in such Municipality, the assessor will accept the statement of, or on behalf of any rate-

payer that he is a Roman Catholic as sufficient *prima facie* evidence for placing such person in the proper column of the assessment roll for Separate School supporters, or if the assessor knows personally any rate-payer to be a Roman Catholic, this shall also be sufficient for placing him in such last mentioned column.

The law remained thus till 1885 when Mr. Ross, the Minister of Education, brought in his Public School Bill, prefacing it with a statement that it was a mere consolidation and made no radical change. But notice the change. The law now reads as follows:—

Revised Statutes of Ontario, cap. 225, page 2419, sec. 120.

1. The assessor or assessors of every municipality shall set down the religion of the person taxable distinguishing between Protestant and Roman Catholic and whether supporters of Public or Separate Schools, but nothing herein contained shall be deemed to interfere with the rights of Separate School trustees under the Separate Schools Act.

2. The assessor shall accept the statement of or made on behalf of any rate-payer that he is a Roman Catholic as a sufficient *prima facie* evidence for placing such person in the proper column of the assessment roll for Separate School supporters, or if the assessor knows personally any rate-payer to be a Roman Catholic this shall also be sufficient for placing him in such last mentioned column." The previous law merely provided that it should be the duty of *township councils* to cause their assessors to do as directed. The new law makes it apply to the whole province, cities, towns, villages, as well as townships, and makes it compulsory on every assessor. I have not overlooked the provisions of the assessment act which require all assessors, in column 7, to put down the school section, and whether Public or Separate School supporter, see Revision 1877, page 1825. Revision 1887, page 2091-2092. Sub-section 4 sets out the act of 1879 nearly verbatim, and shows, as is not shown in the school act, that the machinery was given to make all Roman Catholics supporters of Separate Schools, and to enable the trustees of such schools to know who they were by reference to the rolls. This is still more clearly shown by the optional clause contained in Revision 1877 at page 2047, above set forth in full,

because there it in effect provides that if the assessor puts down a ratepayer as a Roman Catholic, compliance with the special provisions of the Separate Schools' Act shall not be necessary.

The position, I argue, therefore, is that the effect of these combined statutes was to make all Roman Catholics, supporters of Separate Schools, and that where this was done by assessment, compliance with the act of 1863, that is the giving of the notice by the Roman Catholic himself, would not be necessary.

Previous to this amendment a Roman Catholic could not become a supporter of separate schools and claim exemption from public school rates unless he deliberately gave the notice himself.

It must be quite manifest to every fair-minded judge that there is a great distinction between leaving it to the option of each Roman Catholic to give the notice voluntarily, and placing the burden and odium upon him after the notice has been given by his priest of appealing against such a notice. Mr. Mowat, in his pamphlet of 2nd December, 1886, tries to minimize or rather argue away the difference.

Mr. Mowat adds, "But the ludicrous absurdity of the objection is that the preliminary notice has not been dispensed with."

Let me now deal for a moment with the spirit of "truth and righteousness" which characterizes this late statement of the Attorney-General. He has recently propounded for consideration by the judges, the following question: After reciting the different statutes and presuming a case where the priest has given the notice—but the Roman Catholic ratepayer has not given the notice (which Mr. Mowat has stated has not been dispensed with)—is or is not a ratepayer, who has not, by himself or his agent, given notice in accordance with the last foregoing section, entitled to exemption from the payment of rates imposed for the support of Public Schools or for other Public School purposes, as in that section mentioned?

The answer of the judges is emphatically as follows:

"If the assessor is satisfied with the *prima facie* evidence of the statement made by, or on behalf of, any ratepayer that he is a Roman Catholic, and thereupon (seeking and having no further information) places such person upon the

assessment roll as a Separate School supporter, this ratepayer, though he may not by himself or his agent, have given notice in writing, pursuant to section 40 of the Separate Schools Act, may be entitled to exemption from the payment of rates for Public School purposes, he being in the case supposed assessed as a supporter of Roman Catholic Separate Schools," shewing that the contention is correct that Mr. Mowat, "constitutional lawyer" though he be, and though guided by the spirit of "truth and righteousness," was misleading the people by the language quoted above, and which he used in the pamphlet referred to, (2nd December, 1886).

It is quite true as the judges state in their further opinion that notwithstanding the giving of the notice by the parish priest in a case where the Roman Catholic has not given it, that the person himself, or any other elector, may apply to the court of revision to change the assessors' entry from Separate to Public School supporter, and further that in case no appeal is made, the person himself, or any ratepayer, is not stopped on the succeeding or future year from objecting to a continuation of the entry. One of our county court judges, on appeal, has decided to the contrary of this latter view, and went so far as to decide that the priest's notice, actually made the person named a supporter against his will if he failed to appeal the first time it was given, and that in the succeeding year or any future year, he could not resist a continuation of the entry unless, and until, he had given the formal notice of withdrawal. It is satisfactory to know that the county judge was wrong, and that the Roman Catholics are not rendered as helpless as the law was heretofore construed, but this final decision has not affected in any way the force of the contention, that the notice given for *Roman Catholics* by members of the Roman hierarchy makes them *prima facie*, entitled to exemption from the payment of Public School rates, or in other words, makes them *prima facie* Separate School supporters; or, as Mr. Fraser said in the House to Dr. O'Sullivan, when the latter proposed to go the whole "unclean animal" and by legislation make every Roman Catholic a Roman Catholic school supporter, "That while it would be

*inexpedient* to amend the law as Dr. Sullivan proposed, the proposed change meaning the amendment of 1879 then and now under discussion, would secure the same end practically."

Had the combined effect of the enactments of 1877 and 1879 been pointed out to the Chancellor and Mr. Justice Robertson, showing that the formalities of the act of 1879, being complied with, and the assessment effected by the assessor, in which case the provision as to giving the notice of 1863 was dispensed with, I do not see how they could come to any other conclusion than that the assessment, unresisted by the Roman Catholic ratepayer, made him a Separate School supporter, and that Judge Sinclair's decision was right.

Subordinate to the above, but very important indeed, are those enactments which provide for the appointment of a High School trustee by the Separate School board, see section 66, 1887.

(2) Provide for the establishment of Model Schools for the teaching of Separate School teachers exclusively (see sec. 65 of the act 1887). The same section also provides for the appointment of a Roman Catholic to be a member of the county board of examiners in addition to the member authorized by law, to whom is given the like powers and duties as other members of the board.

(3) Provide, as by section 52, for assessing the stock of Roman Catholics in incorporated companies and their interest in the real estate and other property of such companies as rateable for Separate Schools.

(4) Provide the new and expensive inspection of Separate Schools as distinguished from the former method by the Public School inspectors.

(5) Which provide for partnerships assessing the shares of Roman Catholics in a partnership for Separate School purposes.

(6) Which provide for assessing the tenant for Separate Schools in any event, although the great majority of landlords in Ontario pay the taxes and are Protestants.

As to the general question on Separate Schools I was much amused the other day by the following newspaper extract :

"A Kansas judge has just decided that there can be no Separate Schools in the

state. The decision is the result of an attempt by one of the school boards to establish a Separate School for colored children. 'If,' said the judge, 'there are to be Separate Schools for white and black, there should be Separate Schools for Catholic and Protestant, English and Irish, red-headed and black-headed, blondes and brunettes.' His honor resorts to the *reductio ad absurdum*. Nevertheless, if there is to be one set of Separate Schools, why not another?"

A correspondent, who is an intelligent Roman Catholic, writes as follows :

"In some places such as Toronto, Hamilton, Lindsay, etc., our clergy have established what they call High Schools, Model Schools, etc. These are placed before the people who don't know the difference, as High Schools, and a great brag made about the number of Separate School pupils who pass into them."

This is an undoubted fact, as further evidenced by the following despatch in yesterday's Globe :

KINGSTON, March 25.—It is understood that Archbishop Cleary will again lease the Regiopolis building to the government for use as an asylum. The money received will be applied to the proposed new High School.

The next question is how many Separate School teachers have teachers' certificates?

The Inspector's report shows :  
144 in religious orders East of Toronto,  
and 191 in religious orders West of  
Toronto; total 335.

The whole number of teachers shows very little room left for Catholic young men and women desirous of entering the profession.

Speaking of these religious teachers, (nuns and Christian Brothers), without qualifications, the same correspondent says:

"The work of these religious orders is mostly that of mercy and charity, with school teaching thrown in as a means of revenue, and attended to by them only as they can be spared from their regular employment. They are not educated for the work of teaching, and the same persons are not kept at it regularly from day to day, the head of the order usually sending to the schools only those who are not otherwise engaged. The work of these schools is thus of a very elementary



character, and Catholic children are not in consequence getting a fair chance."

As to text books, it is said the Bishop of Hamilton and doubtless others as well, has recently issued orders that the Public School text books are not to be used in Separate Schools. The Christian Brothers' text books are insisted on.

The government refuse to change this state of things, and say they have no power to regulate text books in these schools, and the thing goes on without redress.

The proceedings of the House show the following as having recently occurred here :

SEPARATE SCHOOLS.

MR. FRENCH asked: Has the attention of the Government been called to the allegation that certain of the pupils receiving instruction in the convents in the city of Ottawa have been returned as pupils in attendance at the Roman Catholic Separate schools? Whether any enquiries have been made with a view to ascertaining if such allegation be true, and the result of such enquiries? Whether the Government has reason to believe that the alleged practice is followed elsewhere? Also, are any of the convents in the city of Ottawa made use of, either in whole or in part, as or for Separate schools and returned to the Government as such? Also, whether or not the pupils in regular attendance at said convents or any of them have been returned as pupils in attendance at such Separate schools?

MR. ROSS (Middlesex), replying, said that certain rooms in the Water street convent building at Ottawa were rented by the Board of Separate School Trustees temporarily on account of the crowded condition of the ordinary school buildings. For the same reason, and under similar circumstances, the Board of Public School Trustees for the city of Toronto occupied and paid rent for the use of certain parts of the following buildings, viz.: The Kew Beach church, certain Baptist Mission churches, two Episcopal churches or Sunday schoolrooms, one Methodist church Sunday school room, and one Presbyterian school room. He added that the rooms used for Separate school purposes in the Water street convent were officially inspected, and that the teachers were all legally qualified. He believed that no pupil in regular attendance at the Water

street convent or any other convent in Ottawa had been returned as a pupil in attendance at the Separate school. The attention of the Government had been called to the allegation that certain pupils receiving instruction in the convents at Ottawa had been returned as pupils in attendance at the R. C. Separate schools, and enquiries had been made as to the truth of such allegations, the result being to satisfy the Government that none of the pupils receiving instruction in the convent at Ottawa had been returned as Separate school pupils. The Government had no reason to believe that the alleged practice was followed elsewhere now. One case did occur last year from a misconception of the law, but the law being now understood he thought it would not occur again.

Inspector Donovan, in reply to the question :

Is the Water street convent (Ottawa), now a Separate school, or is it a mere temporary resting place for a few classes? said, in effect,

The Water street building (known as a convent), is a Separate School. The arrangement is not temporary, but has lasted eleven years.

Asked to draw the line where the school ended and the convent began, he said there was a partition with a door in it, but generally was not very clear. In fact, there is no line of demarcation.

As to the fairness of grant appropriation the population of Ottawa was as follows: Protestants 21,909; Roman Catholics, 21,729; grant to Public School, \$2,086; grant to Separate School, \$2,382; Protestant assessments were \$12,562,525; Roman Catholic assessments were \$4,566,825. So that while the population is equal, the grant is divided as 54 to 46, the assessment being 75 to 25.

A worse state of things existed at Lindsay. Where the Roman Catholic population was only thirty per cent, the Roman Catholic assessment eighteen per cent, By Convent, High School and Separate Schools manipulation, the grant to the Roman Catholics was thirty-eight per cent. At Cornwall also I am advised the same inequality prevails, and there is an unsatisfactory feeling against the government for allowing it to continue.

I am not surprised at the Minister of Public Works, Mr. Fraser, refusing to

defend Archbishop Cleary. He was too wise a politician to defend a man who, on Canadian soil, used the following language :

On 6th Sept. at Kingston, addressing American delegates of the Irish Catholic Benevolent Society, Dr. Cleary said :

“May God allow the day to come that Ireland will be a nation, no Queen, no English rule, no bloody Balfour (hisses), no Governor-General of Canada,” etc.

Mr. French resumed his seat, having addressed the House an hour and twenty minutes.

