

LEGISLATURE OF ONTARIO

SECOND PARLIAMENT—SECOND SESSION.

THURSDAY, 6th March, 1873.

The Speaker took the chair at 3 o'clock.

PRIVATE BILLS COMMITTEE'S REPORT.

Mr. MERRICK and Mr. RYKERT argued that the concurrence in yesterday's report of the Private Bills Committee should be brought up to-day for the opinion of the House.

Hon. Mr. SCOTT said that the proper course was for the honourable gentlemen, if they wished to amend the report of the Committee, to place a motion on notice to that effect.

The SPEAKER ruled that it was in order for any honourable gentleman to move the adoption of the report.

Hon. Mr. PARDEE moved that the 22nd report of the Committee on Private Bills be now adopted.

Mr. MERRICK then moved in amendment that the report be not now received, but sent back to the Committee with instructions to report to the House, the reasons which moved them to state that the preamble of said Bill had not been proven. He said that it was not necessary for him to make any further remarks at present; but he would just state that the Bill in question, having for its object the incorporation of the Loyal Orange Association of Eastern Ontario, was thrown out by the Committee by a majority of two, while another Bill for the incorporation of the Association of Western Ontario was subsequently reported, and he did not see why Bills having a similar object in view were differently treated.

Mr. MACDONALD said his feeling in the matter was in the direction of saying nothing at the present time as to the details or merits of the two Bills. He had had the honour of introducing the two Bills, the objects and details of which were identical—the only difference being that one was for the eastern and the other for the western portion of Ontario. He could not see why the two Bills should be treated differently. He therefore moved in amendment to the amendment that all the words after "the" in the amendment be struck out, and the following inserted:—That the said report be not now received, but that said Bill, an Act to incorporate the Loyal Orange Association of Eastern Ontario, be referred back to the Committee with instructions to consider the preamble thereof as proven, and to proceed to the consideration of the several clauses of the said Bill on their merits.

Mr. FRASER repeated that he regretted very much that he had to take part in this discussion. He was sorry that a question of this sort should have been brought into the House. He contended that in view of the people of this Province being of different creeds, and of the Orange institution being a political organization, this measure should not receive the sanction of Parliament. That the organization was a political one he would prove from its constitution, a copy of which he had seen before the Private Bills Committee, and a copy of which he had procured. He wanted hon. gentlemen to disabuse their minds of the idea that he was bigoted in this matter.

Mr. MACDONALD said that the hon. gentleman was one of the most bigoted men in the Province, as he had shown by his action yesterday and to-day before the Private

Bills Committee.

Mr. FRASER denied that he had, either by word or manner, during the discussion of this question before the Private Bills Committee, manifested a spirit of bigotry. He (the speaker) went on to read from the document in his hand and said, that extracts from it went to show that there was a great deal of intolerance in the Society. By the book the Roman Catholics were not alluded to as if they were loyal subjects, and that the loyalty of the Province was concentrated to Orangeism. He read also to show that the organization was established to put down rebellion and protect the lives and liberties of "loyal" men, and in that respect it was shown to be a political institution. A plainer declaration of a political secret organization could not be shown. It was not a local institution but a general one, and it was this very Society which came to the House and asked for corporate powers in the land. He was free to admit that there were many men in the Orange body who were of liberal mind, and he had wondered often that such men could be so after taking the Orange oath; but he maintained that the great mass of those who joined the body were not actuated by those liberal principles, and they could not be so actuated after having that oath administered to them. He then read the Orange oath, commenting upon it paragraph by paragraph, maintaining that the creed of the body showed more charity to pagans and infidels than it did to Catholics; that it was intended to place a ban upon Catholics; and was an attempt against the civil and religious liberty of the people of the country. From the rules for expulsion from the Order, he gathered that it was considered by Orangemen more sinful to marry a Catholic woman than to live in adultery. He had proved from the living present, without going back to the past, the strong reasons he had against the incorporation of the Orange Society. Would it be wise for a House representing Catholics as well as Protestants to give legal rights to such an institution? The Catholics composed one fourth, it might be said, of the population, and did honourable gentlemen who represented them as much as any other class think it would be doing them justice to give an institution, political and secret, such powers as were asked for it? If he came to the Legislature with a Bill from a Catholic Society with such objects in view as he had shown the Orange Association to have—spite against those differing from them in religious faith—would not the measure be strongly opposed? He would deem himself base if he did not oppose any Bills which had for their purpose the perpetuation of religious strife. In 1858 the Orange body had demanded an Act of Incorporation in this very chamber, and had then been very properly refused. The reason for refusing an Act of Incorporation was even greater now than it was then, because now an Orangeman had to swear that he is not married to a Catholic woman, which had not then been the case. In England the whole order had been blotted out, although afterwards it was revived. He then read from the reply of Lord Palmerston in 1857 to an Orange delegation, in which he stated that the association did not belong to the present age, and that the future should be looked to and not the past; that, in fact, it would be better to dissolve the body entirely; that it would be wise in the spirit of conciliation to Ireland to sever the bond of connection which now kept Orangemen banded together. He (Mr. Fraser) asked hon. gentlemen if these statements did not apply with equal force to the genius of our country and the spirit of our times. Why should he, a native-born Canadian, be brought to the understanding that an association could be incorporated in his native country which had for its only object the keeping down—the ostracizing—of himself and co-religionists. If it was right for a man to swear that he would not marry a Catholic, the logical result of the Act of Incorporation would be that it would be unlawful for a man to do so. It would be a sad day for the country if, instead of us all living in peace and amity, all would be disturbed by incorporating a society which should not exist. On behalf of himself and co-religionists he protested against any Act of Incorporation being granted to an organization which had no rightful claim to the powers it ought to obtain. There were hot-heads on both sides, and what would hon. gentlemen think if Catholic hot-heads called upon the House for the incorporation of a similar Catholic organization adhering to a corresponding oath? He disclaimed any bigotry or illiberality in his own character. This was the first time he had ever been called upon to say a word or make a speech of this kind; but he thought that he would be utterly unworthy of consideration—that he would be almost beneath contempt—if, knowing what he had within the last forty-eight