

ion as Mr. Crawford's speech led up to, although it varied from his own resolution. The matter has been extensively discussed in the newspapers, Mr. Oliver said, and in other ways; the members are all quite familiar with the facts, and I shall be very brief, and shall confine myself to reminding them of two or three things in connection with the matter. In the first place, the B. N. A. act provides that the matter of education shall belong to the Provincial Legislature, subject to certain provisions, and not to the Dominion Parliament. The matter has been twice before the Privy Council, the most important tribunal in the British Empire, and, in fact, in the world. That body decided that the act of the Manitoba Legislature abolishing Separate Schools was in their legislative authority, and that the act was a valid act in point of law. Then, on a second appeal, they held that, while the act was a valid exercise of authority by the Manitoba Legislature, the provisions of the act deprived the Roman Catholic minority of certain rights and privileges, and that those rights and privileges ought to receive attention, and that proper provisions ought to be introduced by way of supplement or otherwise for the purpose of removing what the Judicial Committee called a grievance. The judgment is a very long one, but the result is expressed in a very few words at the end of the report, a few sentences of which I shall ask your permission to read:—

"For the reasons which have been given, their Lordships are of opinion that the second sub-section of sec. 22 of the Manitoba act is the governing enactment, and that the appeal to the Governor-General in Council was admissible by virtue of that enactment, on the grounds set forth in the memorials and petitions, inasmuch as the acts of 1890 affected rights or privileges of the Roman Catholic minority in relation to education within the meaning of that sub-section. The further question is submitted, whether the Governor-General in Council has power to make the declarations or remedial orders asked for in the memorials or petitions, or has any other jurisdiction in the premises. Their Lordships have decided that the Governor-General in Council has jurisdiction and that the appeal is well founded; but the particular course to be pursued must be determined by the authorities to whom it has been committed by the statute. It is not for this tribunal to intimate the precise steps to be taken. . . . The system of education embodied in the acts of 1890 no doubt commends itself to and adequately supplies the wants of the great majority of the inhabitants of the Province. All legitimate ground of complaint would be removed if that system were supplemented by provisions which would remove the grievance upon which the appeal is founded, and were modified so far as might be necessary to give effect to these provisions."

#### ADHERE TO THE CONSTITUTION.

Now, we recognize the B.N.A. act as binding on us, including that portion of it which gives a final right of appeal to the Judicial Committee of the Privy Council, and I accept the judgment which they have pronounced. We accept that judgment. I understand the hon. gentleman (Mr. Crawford) accepts it. He certainly did not impeach it. He assumed that the Judicial Committee has rightly stated the meaning of the act.

Now, we in Ontario are not generally in favor of Separate Schools. I apprehend that the majority of the people of Ontario are against Separate Schools; but, notwithstanding that, we have faithfully observed the provisions of the constitution on that subject. In like manner the great majority of the citizens of Manitoba do not like Separate Schools. The people of Ontario do not like Separate Schools, but they have always recognized the constitutional duty incumbent upon them. I cannot imagine that there can be any doubt on the part of anybody but that it would be extremely unfortunate if the remedy for this alleged grievance were to devolve upon the Dominion Parliament instead of being provided for by the Manitoba Legislature. One thing, no act can be effectual if it is to be passed by the Dominion Parliament: it would be a most unfortunate thing that there should be a struggle on the part of the Dominion Parliament with the Manitoba Legis-

lature and people. There is nothing that would be more dangerous, more to be objected to in every way, than a controversy upon this subject. Coercion would be resisted, but as the coercion contemplated relates to a matter of conscience, the objection to it is peculiarly serious. My hon. friend said that there should be an inquiry, and that any remedial legislation upon the part of the Dominion Parliament should be a last resort. I agree with him there, and I hope that the House generally will agree with him. I am quite sure if there was not a very great desire on the part of some hon. members opposite to support the Dominion policy at all hazards the House would unanimously take the same view. Nobody could desire that there should be coercion on the part of the Dominion Parliament, or that the Dominion should put itself into antagonism on the subject with the Manitoba Legislature.

#### MANITOBA'S ATTITUDE.

Then, again, it is not the people here, Protestants here or elsewhere outside of Manitoba, that are feeling most strongly upon this subject and are speaking most strongly about it; this hasty action upon the part of the Dominion Parliament has been protested against by Manitoba and by its Legislature. The Dominion Government were extremely hasty in the matter. No sooner had the decision of the Privy Council been arrived at than they at once intimated to the Manitoba Government that its Legislature must retrace its steps. Nothing could have been more objectionable than that. They started something like coercion at the very first step. Manitoba was not prepared to retrace her steps; instead of their waiting for an opportunity for a change of public sentiment, the Dominion Government at once proceeded to pass a remedial order, practically requiring the restoration of the laws affecting Separate Schools, which the Manitoba Legislature had abolished. I cannot imagine anything more unstatesmanlike than that hasty course. I cannot imagine anything more treasonable to this country than such a course. I say the Legislature of Manitoba has protested against the hasty action which is proposed by the Dominion Parliament, and I shall read one or two sentences from Manitoba documents. They declare that "in amending the law from time to time, and in administering the system, it is their earnest desire to remedy every well-founded evil, and to remove every appearance of inequality or injustice which may be brought to notice." They also stated that "with the view of doing so the Government and the Legislature will always be ready to consider any complaint which may be made in a spirit of conciliation." These are pleasant words, and give hope that if time were only allowed and conciliatory tactics adopted the difficulty would be removed. In view of these statements I purpose asking the House to express the opinion that any proposal of remedial legislation by the Dominion Parliament should not be entertained until after the request of the Manitoba Legislature for a thorough investigation on the part of the Dominion of all the facts is acted upon, and all reasonable and proper efforts for conciliation have been made and have failed. I propose also to ask the House to recognize the fact that nothing should be done by the Federal Government nor by the Legislature with regard to Separate Schools during a period of excitement. As regards Separate Schools in Ontario, every bit of legislation we gave their supporters was approved by the whole Legislature and by the whole of the people at the time, and no objections were made to it until some years afterward. But if we had brought in any of this legislation in a time of excitement, of heated controversy as regards Separate Schools, it would have been most unwise. It is in the common interest that the matter should not be dealt with hastily. I agree with the resolution of my hon. friend so far as it asserts that the proposed action of the Dominion Parliament is fraught with grave danger to the interests of the Dominion as a whole, including the interests of the Roman Catholic minority, for whose benefit the proposed remedial legislation is designed.

Now I have given to the House the substance of the amendment which I propose to ask this House to adopt, and I hope there will be a pretty general vote in its favor. The policy suggested in my resolution would be very