

BILINGUAL AGITATORS MUST OBEY THE LAW

**English-speaking Liberals,
Headed by Mr. Rowell,
Vote With Government
Against Motion of French-
Canadian Member to Give
Education Minister's Bill
Six Months' Hoist**

By a vote of fifty to five the Legislature at 12.40 this morning defeated a motion by Zotique Mageau (Sturgeon Falls), seconded by J. A. Pinard (Ottawa), to give six months' hoist to the bill of the Minister of Education, which provides for the appointment of a Commission to take the place of the Ottawa Separate School Board if that board neglects or refuses to obey the schools laws of the Government.

The only members who voted for the motion were Pinard, Mageau, Racine, Ducharme and Evanturel, all the other Liberals voting with the Government.

Law Not Obeyed.

"I regret to say," said Hon. Dr. Pyne, "that the law is not being obeyed. The Government is merely taking precautionary measures to prevent a repetition of the appalling conditions which occurred in Ottawa. After obtaining the best advice we could get we think the bill is all right, but it may never be invoked, and I hope and trust it never will be invoked."

In reply to Mr. McDonald (North Bruce), Premier Hearst said the bill permits of the appointment of a Commission only if the board neglects or refuses to carry out the provisions of the school law.

Liberal Leader's Plea.

Mr. Rowell said: "The Privy Council has rendered its decision in the Ottawa school cases. It has declared Regulation 17 to be valid and binding on the people of the Province. It has declared the act whereby the control and management of the Ottawa separate schools were transferred from the School Board to a Commission nominated by the Government to be unconstitutional. The Privy Council, as our highest Appellate Court, has finally settled these two questions. Their decision should be accepted by all concerned and honorably carried out."

"I hope the Ottawa School Board will obey the law. It is the duty of the Ottawa School Board to obey the law."

In the judgment of the Privy Council it is stated:

"Their Lordships do not anticipate that the appellants will fail to obey the law now that it has been finally determined. They cannot, however, assent to the proposition that the appellant board are not liable to process if they refuse to perform their statutory obligations, or that in this respect they are in a different position from other boards or bodies of trustees entrusted with the performance of public duties which they fail or decline to perform."

The Privy Council here clearly indicates that compliance with the law can be enforced against the Ottawa School Board, and they point out how it can be enforced. If the board is not obeying the law the Government is in a position to take action immediately in the manner pointed out by the Privy Council to secure compliance with the law, and no new legislation is necessary to authorize the Government to take such action. As already stated, the act passed in 1915, and which authorized the Government to transfer the control and management of the Ottawa schools from the School Board to a Commission, has been declared unconstitutional. The present bill proposes the same thing, although in a somewhat different form, and its constitutionality, therefore, may be open to grave question.

It appears to me that the Government has a more sure, direct and immediate remedy by following the judgment of the Privy Council than by the course proposed by this bill.

Will Not Oppose Bill.

"The Government, however, have taken the responsibility of introducing this bill and asking the Legislature to adopt it. They have taken the responsibility of saying they believe it is within the power of the Province to enact. The questions involved are so important and so vital to the well-being of the Province that even though I believe the Government have a safer and surer way of securing the enforcement of the law than that provided by this bill and that a further contest over the constitutionality of this measure will not promote peace and harmony, I shall not put anything in the way of the Government giving full effect to its policy, as I fully agree the law should be obeyed."

Looks for Good Feeling.

"The Prime Minister assured us this afternoon that every effort would be made to meet the situation in the English-French districts of the Province, where, anxious as the school boards may be to get properly qualified teachers, many are unable to do so, and therefore technically they are unable to comply with the law. I hope the Premier will deal with the matter in the spirit expressed this afternoon, and try and re-establish a good understanding between the races in this Province. We are placed here by Providence side by side; we must continue to live together whether we like it or not. We can live together in peace and harmony or in discord and strife."

Work for Good Relations.

"It should be the object of all patriotic and public-spirited citizens of establish good relations, relations of mutual confidence and respect; and I believe one of the best ways to establish this mutual confidence and respect is for all parties concerned entirely to desist from saying or doing things which tend to irritate or disturb our relations as fellow-citizens, particularly at this time, when we need our undivided energies for the successful prosecution of the war, and for all parties concerned to obey the law as it has been declared by the Privy Council."

"If I can be of any assistance in endeavoring to bring about a better understanding I shall be glad to cooperate with the Prime Minister in securing this result."

Moves Hoist of Bill.

Mr. Mageau (Sturgeon Falls) moved a six months' hoist of the bill, which he contended was unconstitutional and contrary to the spirit of the British North America act. "You cannot expect harmony and accord with a bill of this kind," said he.

The bill was vigorously opposed by Messrs. J. A. Pinard (East Ottawa) and Gustave Evanturel (Prescott). Mr. Pinard said that if the schools in Ottawa were closed for five months it was "thanks to the action of the nice, big, fat gentleman who sits on the Government benches as Minister of Education."

Premier Hopes for Peace.

Premier Hearst, who followed Mr. Mageau, said that in the bill no jurisdiction was vested in any way in the Lieutenant-Governor in Council or in the Minister until a school had refused or neglected to obey the law. It was different in the old act, because the Minister had arbitrary power as to whether the schools were carrying out the law or not, and to maintain his commission indefinitely. There was in the present bill a provision that if there was any doubt on the question it is to be referred to the court — a non-political, non-partisan tribunal.

"No jurisdiction vests in us," said Sir William Hearst. "We do not sit in judgment upon it. The court sits in judgment. There is no intention to invade the rights of any school that is obeying the law. If we have to act, I ask whose fault is it? We cannot act if the Board of Trustees in the city of Ottawa carry out the law."

Premier Hearst said he had every desire for peace and harmony, and he would suggest in committee that the act come into force by proclama-