

March 24

SCHOOL CHANGE CALLED FAULTY

Hepburn Had No Mandate
for Tax Switch, Says
Henry

COURTS SAID PUZZLED

Premier Hepburn made a surprise move in the Legislature yesterday when, after Opposition Leader Henry had moved second reading of a bill to repeal the school tax legislation of 1935, he (the Prime Minister) adjourned the debate until today.

Mr. Hepburn was ready to allow other Opposition speakers to follow Mr. Henry, but Leopold Macaulay, former Minister of Highways, said: "Nothing doing, we'll hear what you have to say first."

The Opposition Leader based his argument for repeal on the grounds that Mr. Hepburn had had no mandate from the people to effect any changes; that the legislation he had brought in was so faulty in construction that courts and every one else had difficulty in interpreting it; that it went far beyond the principle of option afforded to the separate schools years ago and accepted as final; and the public generally, did not approve of it.

"It was quite apparent, in the only instance electors have had to pass on the legislation (East Hastings by-election)" said Mr. Henry, "what Ontario thinks of it. The sooner the whole of the Province has a chance to pass on it the better for all concerned."

It had been brought down in the Legislature in the "dying hours" of the 1935 session, said Mr. Henry, without much prior consideration having been given to it by the Government. The result had been that the courts found themselves in conflict as to what it actually meant and so much doubt had been raised about it that the Government had forbidden officials of either the education or assessment departments to interpret it to municipal authorities.

Roebuck Condemned.

Condemning Attorney-General Roebuck's attitude of a year ago that those hostile to the bill would "neglect" the education of the minority group, Mr. Henry emphasized the point that Ontario possessed a great national school system, operated under the Department of Education and to which every child of a certain age, whether Protestant or Catholic, had access without any cost to his parents. The separate schools system, he submitted, was only an option, and need not be exercised at all. Interrogated by Mr. Hepburn as to whether he favored abolition of the separate schools, Mr. Henry said he favored no repeal of any "pact" by legislation, but he believed the "desired end to all these discussions" could be obtained if Roman Catholics agreed among themselves to support the national school. "A large number of separate school supporters have told me they are glad to send their children to public schools—" he was saying when he was interrupted with cries of "blah!" from several Liberal members.

"I say," Mr. Henry continued, "if separate school supporters would sooner send their children to public schools it is their right to do so. But as long as they care to exercise their option, I am not arguing that what is a pact with them should be broken by any legislation."

The Opposition Leader stated he knew of a good many Roman Catholics who were fearful of Mr. Hepburn's changes — fearful that it would make it possible to set up separate schools

where none now exist. "They are afraid of it," he said, "because it might interfere with their sending of their children to public schools."

The agreement of 1863, subsequently confirmed by the Act of Confederation, said Mr. Henry, in a brief review of the question, had been looked upon as "a finality," by Dr. Ryerson, the great mind behind the educational system of Ontario. Even the Bishops of the Roman Catholic Church had viewed it in that light. "Why," he asked, "should their successor come into the picture today saying it should be changed?"

There were corporations then as there are now, if not in as large numbers. The facts of the matter, said Mr. Henry, were that the establishment of separate schools in Ontario and Quebec was "part of the price of Confederation."

"There is no use denying that," he said. "We all know it. Separate schools would never have been consented to in this Province if it had not been for that reason."

Protestants today, said he, were not asking for any abolition of separate schools. They realized that they were part of a contract, and desired to live up to it, provided no additions were made to it from time to time.

DR. SIMPSON DECLINES TO FORECAST HIS VOTE

"Tell You Tomorrow," Minister
Replies to Macaulay

Asked from the floor of the Legislature last night if he intended to support the Opposition bill to repeal the separate school legislation Hon. Dr. L. J. Simpson, Minister of Education, declined to herald his intended vote.

Leopold Macaulay (Cons., York South) put the question to Dr. Simpson during consideration of the Education Department's estimates. "Maybe you'll know after you've read The Globe and Mail editorial," said Mr. Macaulay.

"I'll tell you tomorrow," replied Dr. Simpson.

"He doesn't know yet," observed Opposition Leader George Henry.

"My honorable friend is not going to put me in the position of answering a question I don't wish to answer," declared Dr. Simpson.

Hon. Harry Nixon, Provincial Secretary, intervened with a question as to what this had to do with the estimates. The incident was closed shortly after.