

THE DAILY EXAMINER.

APRIL 25, 1896.

MR. MILLS AGAIN.

The Patriot a few days ago accused the men who framed the Manitoba Act of "incapacity or duplicity." It quotes the words of Sir Leonard Tilley, "We who were members of the government at that time could see no reasonable objection to granting the same privileges in Manitoba that were given in Ontario and Quebec," and asks, "Then why did they not do it?" The answer is they did it. We quote as authority for this declaration Mr. David Mills, who says:

"The words in respect to the appeal to the Governor-General in Council are as strong as it is legislatively possible to make them. They are, an appeal shall lie. Here a right is given to a dissatisfied party and there is an implied duty imposed upon the executive authority to make that having effect."

Again, Mr. Mills says: "The appeal bestowed is not based on the superior wisdom and superior capacity of Parliament. On the contrary, the provisions of the act assume that the Parliament of Canada is to be less qualified, less fitted, to deal with the subject than the legislature of a province. The appellate power is not based, then, on the superior fitness of the act with the subject of education, but it is a simple trust to guard the rights and privileges bestowed upon the minority against encroachment and to restore them if they have been impaired or taken away."

The provincial legislature has the right grounds for making its jurisdiction absolute where it is limited by the constitution. It cannot maintain its authority as exclusive where, by the supreme law, it is subject to certain conditions.

The legislature of the province has no more legal right to disregard the restrictions which the superior law imposes than has any subject of the Queen to disregard the restraints which are intended to regulate his conduct in his intercourse with other members of the community. It is essential to the due execution of the federal system of government that we should recognize throughout the regular authority of the supreme law. This applies equally to Parliament and to every provincial legislature. Each of them must look to the constitution as the source from which its authority is derived, and when a Parliament exercises a power granted for which it is given, no legislature, no provincial government, can have any legal or constitutional cause to complain.

This is to say, in other words that the Opposition have no good cause for their "coercion" cry. Mr. Mills continues:

"Let us suppose that after the union Quebec had refused to legislate; that the representatives of the province and its press were opposed to legislation, and that they argued that, as some argue now, that legislation in respect to the minority is a mere question of public policy; that the power to legislate implies a discretion; that the power having been bestowed the legislature in every case is authorized to judge as to the propriety of exercising this power, that the legislature is not compelled to act and is not obliged to carry out intentions previously expressed, and so it has a right to decline to legislate. Does any one believe we would have heard of provincial rights being extended into regions from which, by the express terms of union, they are excluded? Would any one have heard the cry that Quebec must be left alone; that she must be interfered with, that if she refuses to carry out the compact with the Protestant minority, she has a right to do so, that she may change her policy, and that she ought to be allowed to take her own course, and that the duty imposed on Parliament by the supreme law must not be discharged? That in its conduct Parliament, too, must be governed by considerations of public policy and not by any theory of constitutional duty the same as if no compact existed, that the power conferred by way of guarantee really imposes no duty, and that it may be treated as an ordinary power? I am sure no such contention would ever have been put forward had the appeal come here from the Protestants of Quebec had that province failed to carry out the provisions of the compact after the union; and if the Protestant minority had come to the Federal Parliament, they would have found it has been said that there must be no interference? That Quebec must be left alone? That the remedial power expressly given for the protection of the minority and for other purposes, is never to be invoked? Not at all. It would have been said that this union is based on compact and that an honest observance of them is necessary to its continuance. These compact must be kept. Where they are deliberately disregarded the remedial power reposed in federal hands is rightly invoked. The use of this power by Parliament does not invade the exclusive dominion of the offending province, but is only asserting an authority within its jurisdiction for the very purpose for which that authority is bestowed, and with the sanction of the only class of persons to whom it is to be exercised. If the legislature of Quebec had refused to carry out the compact to which it is a party and had refused to provide by law so as to give effect to the powers, privileges and duties bestowed upon the minority, could the Governor-General in Council have refused constitutionally to consider that appeal? Would Parliament, if the case had regularly reached it, have refused to offer the legislative remedy which the constitution authorized? I do not think so. The power is granted for a purpose and that purpose is to maintain certain privileges unimpaired. It is given solely for that purpose. Beyond this it cannot go. In no case is it made a judge of different systems. This is the function of the local legislature, and not of Parliament. What Parliament is authorized to do is to see that where a compact exists, and compliance is made of its violation, that its terms are observed if the minority desire its continuance, for the words are: "As far as the provisions of this act case require the Parliament of Canada may make remedial laws for the due execution of the provisions of this section." Due execution is one adequate to the maintenance of the right or privilege."

In view of the facts set forth by Mr. Mills, and his cogent arguments from those facts, what becomes of the Patriot's

PROVINCIAL LEGISLATURE.

Friday, April 25.

SIR DONALD'S APPOINTMENT.

The Government have appointed to the important office of High Commissioner in London a man of great ability, vast experience and world-wide reputation. Sir Donald Smith was born in Scotland in 1821. He was in his youth an officer of the British army. Afterwards he became connected with the Hudson Bay Company, since which he has been among the foremost of those who took an active part in the public measures which have resulted in the opening up of the great Northwest to civilization and to Canada. He has always been a peacemaker. At the time of the union of the Northwest with Canada he was chiefly instrumental in allaying the troubles precipitated by Riel and his faction. Lately he made a last effort to settle peacefully the Manitoba question on the basis of a school system similar to that in operation in the Maritime Provinces. But for the understanding that exists between Mr. Laurier and Mr. Greenway and the political results which these gentlemen and their followers anticipate, it would, without doubt, have been successful. His appointment to the High Commissionership is termed by our telegraphic correspondent "a master-stroke of policy." We believe that this is the fact.

OUT OF HIS OWN MOUTH.

A Parliamentary supporter of Mr. Laurier informed him some time before the vote on the six months' hoist was taken that he felt bound to support the Remedial Bill, upon which Mr. Laurier remarked:

"If I was a simple deputy like I would do the same thing; but I am the chief of the party, and as such I believe I must speak and vote to meet the views of the Province of Ontario."

—Laurier to Beauséjour. Could there be a stronger proof that the Opposition's tortuous and deceitful course in respect to the Remedial Bill is dictated, not by a conviction that the Government is in the wrong regarding it, but solely by a regard for the results of a religious strife between the Protestants and Catholics of Canada. Out of his own mouth, Mr. Laurier is convicted of disgraceful crookedness.

GOVERNMENT HOUSE.

The *Guardian* reported yesterday, in a large headline, that "Government House is abolished." This led some persons who did not take the trouble to read the body of the report to suppose that Government House and farm were to be sold. These persons will be glad to learn that there was nothing in the resolution passed by the Legislature to warrant this conclusion. The resolution simply expresses the opinion that Government House and farm should not, after the expiration of Lieutenant Governor Howland's term, be maintained at the expense of the Government. It is pleasing to note that, in view of a strong public opinion against the sacrifice of Government House and farm, Premier Peters is not, apparently, going to proceed to that extremity. Indeed, it is beyond doubt that he cannot do so without defeating the intention of those by whom the Government House farm was set apart. The farm was taken from the city of Charlottetown and vested in the governors general and lieutenant-governors "forever, for their use and accommodation." After confederation an order in council was passed on the 19th June, 1871, setting forth that "the Government House at Charlottetown, in the Province of Prince Edward Island, its grounds and premises, together with the farm thereto attached and held therein, shall be and they are hereby appropriated to the use of the Government and Legislature of the said Province of Prince Edward Island." But it is not said that this use may be different from that which the deed specifies that it shall be, viz., "the use and accommodation" of our governors. It is not said that the Government and Legislature may sell the farm; and if our governors should at any time be dispensed with by reason of union with the Maritime Province otherwise, the land ought certainly to revert to the city from which it was taken.

SOUTH AFRICAN TROUBLES.

The news from South Africa is not reassuring. According to a despatch from Cape Town a reconnoitering force found the Matabeles on the 20th inst. in great force about five miles northeast of Bulawayo. The force was fired upon, returned the enemy's fire and then retreated in good order. It now appears that while it is true that several thousand Matabeles have struck camp for parts unknown, there are enough of them remaining in the vicinity of Bulawayo to cause the utmost uneasiness. The latest reports state that fall two hundred persons have been killed by the Matabeles since the uprising occurred, and men of great experience in South African warfare notice that the Matabeles are acting in a manner altogether different from that displayed upon former occasions of a similar nature. These men claim to see in the tactics of the natives the guiding hand of the leaders of the Tradeville burghers, and nothing will convince them to the contrary. They insist that the Boers are arming for a struggle with the British for the mastery in South Africa, and they hold that the Transvaal is being actively encouraged and assisted in the matter by Germany.

It is apparent, too, that President Kruger is merely making time while German officers are going into the Transvaal. It is remarked by the *Montreal Gazette* that the "spirit indicated does not promise well for the peace of South Africa, or for the Boers. It may result some day in President Kruger's people discovering that it was not the whole of the British army that was destroyed at Majuba Hill, and that it was not far that distant British conduct towards Doctor Jameson's raiders."

PROVINCIAL LEGISLATURE.

Friday, April 25.

THE STREETS OF NEW YORK.

The Oddfellows of this city beg to announce the presentation, by the Charlotte-town Dramatic Co., on above date, of the Romantic and Spectacular Drama, in Three Acts, entitled

"The Streets of New York," with New Scenery, New Costumes and Complete Stage Settings.

This Drama contains all the elements that go to make up a popular play—Comedy Scenes in plenty, with a touch of sensationalism.

Musical Director—Prof. Vinnicombe, with full Orchestra. Stage Manager—Mr. W. C. Whitlock. Admission at popular prices. Reserved Seats, 35 cents; unreserved seats, 25 cents. A limited number of seats specially reserved in the Dress Circle at 50 cents.

Plan of Hall will be on exhibition at DeWitt's Medical Hall and Bank's Drug Store on Wednesday, 29th instant, at 10 o'clock, a.m.

Doors open at 7.30. Curtain rises at 8. H. D. JOHNSON, JOHN F. WHARF, Chairman Com. Secy. Com. ap21-246

BEER BROS. FOR DRESS GOODS.

NOTES AND COMMENTS.

—Looked for—the *Guardian's* reply to Mr. Mills.

—At the end of March the overraft of the Provincial Government at the Merchants Bank of Halifax was \$45,519, and the loans of the Merchants Bank of Halifax to Provincial Governments amounted to \$50,798. What portion of the latter amount is owing by the Government of P. E. Island it is, of course, impossible to say.

—The details of the Government plan for the re-arming of the militia as disclosed in Parliament show that when they are carried out, Canada will have a militia force second to none in equipt. All branches of the service are provided for, and well. The *Gazette* remarks that a satisfactory, indeed, have been the arrangements that the Opposition could find nothing to criticize about them but the constitutionality of the Government's manner of going to work. The country will give any sins in this regard for the sake of the expedition shown. The time was one that seemed to call for quick work, and here was quick work.

PERSONAL.

Mr. J. E. W. Ait, barrister at law, Summerside, is in town.

Mr. T. B. Gray, the popular station agent at Summerside, is visiting Charlottetown.

We regret to hear that Alexander McMeekin, Esq., has had a relapse and is again dangerously ill.

Mr. and Mrs. Edward Bayfield, Miss Bayfield, Miss Russell and Miss Peters, of Charlottetown, P. E. I., arrived in town yesterday, and are guests at the Windsor.

—Montreal *Gazette*, April 22. Many of our readers in town and country will be glad to learn that Mr. R. B. Shaw, who lately graduated in medicine at McGill University with high honors, has been successful in obtaining a position as resident physician in the Royal Victoria Hospital of Montreal.

How to Get a "Sunlight" Book. Send 12 "Sunlight" soap wrappers to Lever Bros., Ltd., 43 Scott St., Toronto who will send post-paid a paper-bound book 160 pages. For 6 "Life Buoy" carbolic Soap wrappers, a similar book will be sent. This is a splendid opportunity to obtain good reading. Send your name and address written carefully. Remember "Sunlight" sells at 6 cts. per twin-lin., and "Life Buoy" at 10 cts. One cent postage will bring your wrappers by leaving the date open.

Rev. D. McNALL will preach at Herzog's hall to-morrow afternoon at 3 o'clock.

The SS. Polino leaves Quebec on Monday, 27th, for Summerside, Charlottetown and St. John's, N.B.

To-morrow morning Rev. Mr. Kirby will preach a sermon to the young on "Transformation," illuminated with blackboard and objects known as "the bottle talk." Come to the Upper Methodist Church yourself and bring your child with you at 11 o'clock.

As it was noted in the House of Commons that the Cadets of the Royal Military College did not take sufficient interest in the Canadian militia, twenty cadets have volunteered for active service in the Canadian militia during the training period. They will abandon their vacation to serve their country without remuneration.

Mr. W. P. Doull has rented the Hillsborough rink and intends running it as a bicycle academy during the summer. The academy on Kent street has been closed, as rather earlier than expected as Mr. Leod is filling the building with carriages, &c. Mr. Doull has also removed his repair shop to the rink and intends making it the headquarters of everything in the bicycle line. The rink will be dry enough to resume bicycle classes in probably ten days.

We will give you bargains in boots and shoes this evening. Try us if you want cheap footwear.—R. K. Jost, Stamper's Corner.

Call at Beer and Goff's and order your supply of those fancy biscuits to-night.

For wall papers try McMillan & Hornsby's.

The wonderful talking machine, the gramophone, will be operated to-night by electricity from 7.30 to ten o'clock. Free Exhibitions—Carter's Bookstore.

A bicycle owner had his tires put on twice with liquid cement and they did not stay; then he had them set in hard cement at the King Square repair shop—he knows the difference now.

White Russian, Fife, Colorado, Barley and Campbell's White Chaff Wheat, Barley, A Seed Oats, Peas, Vetches, Fodder Corn, Buckwheat, Timothy and Clover Seed, Mangel Seed, Turnip Seed, and Garden Seed in variety.

Also—Fred, Hay, Oats, Bran, Shorts, Cracked Oats, Barley and Peas, Oil Cake, etc. For sale by F. L. McNUTT, Queen Street. ap25-26 6323 w y 21

OPERA HOUSE.

Monday, May 4, 1896.

77th ANNIVERSARY

I. O. O. F.

The Oddfellows of this city beg to announce the presentation, by the Charlotte-town Dramatic Co., on above date, of the Romantic and Spectacular Drama, in Three Acts, entitled

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HAY!

FOR SALE.

150 Tons Best Quality Pressed Hay.

G. LYONS & CO.

ap25-26 pat 604r

LIME.

We have commenced burning, and will be able to supply any quantity of best quality of Lime suitable for Building and Farming purposes.

C. LYONS & CO.

ap22-1m guar pat her wat

Christy's Fancy Biscuits

At a Discount.

We want to clear out our present stock of Fancy Biscuits before our spring supplies come to hand, and in order to do so at once we have made some big reductions in price for one week only:

Biscuits formerly 20c now only 14c per lb
" 15c " 12c " "
" 10c " 8c " "
" 12c " 9c " "

This is a genuine bargain sale at

Beer & Goff's.

Ch'town, April 22.

Opened To-day.

Creme de la Creme

Cigars & Cigarettes.

Call and get sample.

REDDIN BROS

OPPOSITE POST OFFICE.

FOR SALE.

That valuable property on the corner of Prince and Grafton Streets, Charlottetown, on which stands

Philharmonic Hall,

is offered for sale by tender. Half the purchase money may remain secured by mortgage upon the property for 3 years at 5 per cent. interest. Tenders will be received up to 28th prox. noon, by the undersigned, who does not bind himself to accept the highest or any tender. For further particulars apply at his office on Prince Street, to

RICHARD JOHNSON.

April 16-w f 4i

BICYCLE FOR SALE.

"VICTOR," 1895, as good as new. Double tire, 68 gear. A bargain at \$80 cash. Come and have a look at it in this office. 216-217-218

REPAIRS

To Watches,

To Clocks,

To Jewelry.

or anything you have out of order in our line. Satisfaction given; charges moderate.

G. H. TAYLOR.

ap20

TELEGRAPHIC.

SPECIAL DESPATCHES TO THE EXAMINER

SIR D. A. SMITH APPOINTED

High Commissioner for Canada

A Master Stroke of Policy Effected.

Trade Increased \$11,500,000.

OTTAWA, April 25.

At yesterday's meeting of the Cabinet, Sir Donald Smith was appointed High Commissioner for Canada in London as well as a Privy Councillor of the Dominion, but not in the Cabinet. Sir Donald proceeded to Rideau Hall yesterday afternoon and he was sworn in before His Excellency the Governor General. Great satisfaction is expressed in this city at the appointment. It is acknowledged that the Government have effected a master stroke by securing Sir Donald as Canadian ambassador in England. It was thought advisable to make him a Privy Councillor in view of the fact that as High Commissioner he is brought into confidential relations with the Government. He will now be practically one of themselves.

The trade returns for nine months, which were issued by the Customs Department yesterday, are of the most satisfactory character. The exports show an increase of \$5,821,000 over the same period last year, while the imports are increased by \$3,705,764.

Mr. Foster will undoubtedly be gratified with the steady increase in the revenue from this latter source. For the same month it is \$2,185,000 better than for the same period last year.

Hon. Mr. Chapleau's Health.

MONTREAL, April 25. The question of Hon. J. A. Chapleau's return to public life is one that will have to be postponed for some time yet. His health is too precarious to permit his resuming active politics just yet.

A despatch was received last evening from him from Atlantic City, where he has been for some weeks past seeking restoration to health, saying he is not well enough at present to take part in active politics.

New Order of Knighthood.

LONDON, April 25. The *Gazette* announces that the Queen has created a new order of knighthood called the Royal Victorian.

Fire in Halifax.

HALIFAX, April 25. A fire here last night burned two buildings on the Exhibition grounds. Five horses owned by the city were burned to death.

FOR

CARTER'S

Wall Papers.

Only one best place to buy

Wall Papers, and that is

CARTER'S

Your Attention, Please!

We wish to draw your attention to the fact that we have now a large and varied assortment of FINE FOOTWEAR in Ladies' and Gents' Misses' and Children's, Boys' and Youths'. We are confident we cannot be excelled in Quality, Style or Price. Our MEN'S \$3.00 BOOTS compare favorably with any \$3.00 Boot sold in Charlottetown.

See window for samples.

R. K. JOST.

Stamper's Corner

Washable

Goods,

(SLIGHTLY SOILED),

Warranted not fade or shrink.

All the SPONGES we have in stock, and it's not a small one, at reduced prices, to make room for spring importation. See us for prices.

A. W. REDDIN, Phm. B.,

Central Drug Store, Sunnyside.

Have

You

Seen

Them?

Our \$2.50 GENTS' LACE and CONGRESS BOOTS, worth \$3.50, and our LADIES' \$1.25 LOW SHOES. About twenty different styles to select from. These lines will cost you about 25 per cent. more in any other store in town. If you see them you will buy sure. Yours for Shoes,

A. E. McEACHEN,

THE SHOE MAN.

ap13

GIRLS!

See PATON & CO'S window this p. m. for TRIMMED MILLINERY.

TRIMMED HATS, \$1.50, \$1.75, \$2.00 and \$2.50.

WAISTS, 45c, 55c, 65c, 75c, 85c.

Special lot of SAILOR HATS cheap for cash.

Oddfellows and other fellows had just as well buy their Hats where there is only one price asked, and that a low one.

50 CHILDREN'S SUITS at \$1.00.

JAS. PATON & CO.

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