

## ABSTRACT

This thesis concerns the interaction from 1856 to 1877 of religion, politics, and education in Prince Edward Island. Until 1860 the major problem was the place of the Bible in the public schools, and the resultant controversy turned the Liberal Party out of office. In the early 1860's the 'religious question' narrowed into a dispute over whether to give a grant of public money to a Roman Catholic college; on this issue, and in the midst of the most virulent sectarian polemics ever witnessed in the Colony, the Conservative Government was re-elected in 1863. The following seven years saw an abatement of denominational tensions, and the eventual restoration of the Liberals to power. Over these years, however, the position of the Roman Catholic Church changed radically: instead of aid for a single institution, the Bishop was now asking for public support of an expanding system of denominational schools. Consequently, in 1870, the Liberal Government divided, and its Catholic members joined the Conservatives in a coalition which was pledged to leave the 'School Question' temporarily in abeyance. From 1870 to 1876 the Bishop tried every possible means to obtain public recognition of his schools: behind-the-scenes negotiations, petitions, a change in political allies, and encouragement of a 'Centre Party.' All failed, and in 1876, when an election was held on the issue, Prince Edward Island unequivocally rejected any compromise on the principle of nonsectarian public education.

Religion, Politics, and Education in Prince Edward Island,

from 1856 to 1877

by

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# Table of Contents

	page
Preface	A
PART I - The Bible Question (1856 - 1860).	1
Chapter One	2
Note A. The reporting of the Great Protestant Meeting of 1857.	24
Chapter Two	26
Note A. The position of the Bible Society in 1857.	54
Chapter Three	55
Note A. W.H. Pope and the Worrell Estate.	70
PART II - The College Question and Religious Contro- versialism (1860 - 1863).	71
Chapter Four	72
Note A. Orangeism on Prince Edward Island prior to 1861.	92
Chapter Five	94
Note A. Fr. John C. MacMillan and the Shakespeare Volume.	121
Chapter Six	123
Note A. The Revelations of September and October, 1862.	150
Note B. Fr. John C. MacMillan as secular historian.	153
Note C. Presbyterians and the Presbyterian Pastoral.	155
Note D. Fr. Angus MacDonald and the Colonial Office.	157
Note E. The decision to disallow the Orange Incorporation Act.	160
Note F. French Acadian Schools and Teachers to 1863.	161

## Table of Contents -(Continued)

	page
PART III -- The Breakdown of Parties (1863-1870)	163
Chapter Seven	164
PART IV -- The Period of Conspiracies (1870-1873)	201
Chapter Eight	202
Note A. Previous Accounts of the School Question in 1872 and 1873	225
PART V -- The Period of Talk (1873-1876)	227
Chapter Nine	228
Chapter Ten	254
PART VI -- Climax (1876)	285
Chapter Eleven	286
Epilogue	309
Note A. The legacy of Edward Whelan in matters of 'religion and education.'	315
Note B. The French Acadian Schools and the Appeals of Bishop MacIntyre	317
Appendix	323
Bibliography	324



## Preface

This thesis deals with the interaction from 1856 to 1877 of religion, politics, and education in Prince Edward Island; hence items of purely religious, political, or educational interest are only incidental to the subject. In these twenty-one years, remarkable changes took place: for example, the membership of the Conservative Party changed from being almost entirely Protestant to one which was predominantly Roman Catholic. In the 1850's a Tory would probably be supporting the advance of the Bible into the public schools; by 1877, if he were still a Tory, he would be advocating government assistance to Roman Catholic schools. Likewise the Liberal Party, which in 1856 largely relied on Catholic support, was by 1877 composed wholly of Protestants. But there was consistency in the position of the Protestant Liberals: throughout this period they sought to limit the role of denominational religion in public education. In any case, the reader should bear in mind that party names shifted as the Liberals ceased to represent 'Roman Catholic interests,' and as the Conservatives ceased to represent 'Protestant interests.' The issues also changed completely: in the 1850's the centre of controversy had been the place of the Bible in the public schools; in the early 1860's it shifted to the question of government aid to a Roman Catholic college; by the late 1860's the Catholic Bishop was asking for public support of his other denominational schools, as well; in the 1870's he unequivocally condemned all education not based upon religion, and demanded a complete system of separate schools for Roman Catholic children.

This work was first suggested to me in late 1964 by Richard Wilson, who was then a graduate student at McGill University. In September of the following year I approached Frank MacKinnon of Prince of Wales College, and Fr. Francis Bolger of St. Dunstan's University, both of whom encouraged me to proceed with the topic. Dr. MacKinnon has since given his full co-operation and assistance, and in October of 1965 he loaned me an unpublished typescript on nineteenth-century Prince Edward Island, entitled "Religion and Politics." Fr. Bolger also has frequently made his advice available.

The librarians of the Public Archives of Canada, the Public Archives of Prince Edward Island, and Redpath Library of McGill University have been unfailing in their patience and courtesy. In particular, I wish to acknowledge the assistance of J.P. Heisler of Ottawa, and David Raynor of Charlottetown, whose efforts more than once exceeded the call of duty.

The Rev. E. Arthur Betts of the Archives of Pine Hill Divinity Hall in Halifax was most thoughtful in the liberal arrangements which he made in providing access to the material entrusted to him. Fr. Faber MacDonald of the Roman Catholic Diocese of Charlottetown was unfailingly helpful and cheerful in interrupting a busy schedule to render aid. The Executive of the Grand Orange Lodge of Prince Edward Island, and especially Colin D. MacPhail, Ernest A. Moore, and Spurgeon Moore, were more than generous in the time and effort which they put into facilitating the research involved in this thesis. The Rev. Thomas Humphrey of the Auxiliary Bible Society of Prince Edward Island was also kind in placing the material in his keeping at my disposal. Laurier Lapierre of McGill University helped by providing me with a draft copy of a report on the Prince Edward Island School Question, which was being prepared for the Royal Commission on Bilingualism and Biculturalism.<sup>1</sup>

<sup>1</sup> V. *infra*, p. 322.

I have also received assistance and co-operation from the following persons: Miss Iphigénie Arsensault, J-Henri Blanchard, the Very Rev. John Buckley, the Rev. Donald Campbell, Andrew H. Clark, C. Bruce Fergusson, the Rev. Bryer Jones, Malcolm Lowry, the late T.E. MacNutt, Lorne Mease, John A. Murray, John P. Nicholson, the Rev. A.E. Piercey, Harold L. Palmer, Hereward Senior, H.R. Stewart, J.A.S. Williams, and Robert Zimmerman.

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Unless otherwise indicated, all government documents cited have originated in Prince Edward Island, and all newspapers have been issued from Charlottetown.

## Abbreviations

### Abbreviations of sources:

ARCHA = Annual Report of the Canadian Historical Association.

CCHAR = Canadian Catholic Historical Association Report.

CHR = Canadian Historical Review.

CO = Colonial Office.

DR = Dalhousie Review.

### Abbreviations of locations of sources:

ADC = Archives of the Diocese of Charlottetown (Roman Catholic).

APH = Archives of Pine Hill Divinity Hall (Halifax, Nova Scotia).

LP = Library of Parliament (Ottawa).

PAC = Public Archives of Canada (Ottawa).

PANS = Public Archives of Nova Scotia (Halifax).

PAO = Public Archives of Ontario (Toronto).

PAPEI = Public Archives of Prince Edward Island (Charlottetown).

RL = Redpath Library, McGill University (Montreal).

### Abbreviations of institutional names used within the footnotes:

CYMLI = Catholic Young Men's Literary Institute.

PWC = Prince of Wales College.

NDC = Notre Dame Convent.

SAC = St. Andrew's College.

SDC = St. Dunstan's College.

### Abbreviations of titles of Legislators:

MHA = Member of the House of Assembly.

MLC = Member of the Legislative Council.

MP = Member of Parliament (Ottawa).

Abbreviations (continued):

MPP = MHA or MLC

Miscellaneous:

MG = Manuscript Group.

RG = Record Group.

## Part I

**"The Bible Question"**

1856-1860

(thesis)

"A serious and most unaccountable misunderstanding"<sup>1</sup> was what Edward Whelan, in early 1857, described as the root of the Bible Question. To be sure, there was a misunderstanding, but once it had been cleared up, the conflict remained, and with the Bible Question began a new era in the history of Prince Edward Island. For the next two decades, religion and education provided the primary motive power in the politics of the Island, as the three elements became inextricably mixed. Between 1856 and 1860, what mattered most to Islanders, especially if they were Protestants, was the place the Holy Scriptures, the Word of God, were to occupy in the formal education of their children. Wanting 'the open Bible in the schools,' they turned out of office the Liberal Party that had brought 'responsible government,' and in its place installed an all-Protestant administration in a Colony whose population was almost one-half Roman Catholic.

<sup>1</sup> Assembly Debates, 1857, p. 61.

## Chapter One

They came from all over the Island to see the new Normal School in Charlottetown. Teachers, parents, legislators, and journalists, all with their ladies, flocked to the Seiré held on Wednesday, 1 October 1856.<sup>2</sup> There they could inspect the building where Mr. William Monk, direct from Glasgow, Scotland, had taken up his duties as Master on 22 July. School Visitors for two decades had exhorted Islanders to provide a seminary which would instruct future teachers in a uniform system of methods.<sup>3</sup> In fact, the Master of the Normal School had been obtained through the good offices of the current Visitor, John M. Stark.

Stark was one of the speakers that evening in Charlottetown. He was not the only one, but his was the only speech which opened a new chapter

2 See Robert Blake Irving (Reporter), Normal School Seiré: Report of the Speeches and Proceedings at the Inauguration of the Normal School .... (Charlottetown: 1856). This forty-page account was published under the authority of the Government. A copy survives in PAPEI.

3 The reason for desiring a uniform system of education was simple: the status quo was chaotic, as each semi-trained instructor enforced his own 'system' during his stay in the community. His tenure was usually for one year, with the result that a child with six years of schooling would have had to adjust to as many as six different 'methods'. A reading of the School Visitors' Reports, especially those of John MacNeill, Visitor for the entire Island between 1837 and 1847, is indispensable to an understanding of the problems of education in the early days of settlement in Prince Edward Island. They were usually published in the Assembly Journals.

in the annals of Prince Edward Island. An abrasive man,<sup>4</sup> Mr. Stark spoke his mind: being Superintendent of the Normal School, as well as School Visitor, he could assure the public that the "moral department" of the new institution would include

a daily Bible lesson (the first exercise of the day after opening) in which the truths and facts of Scripture will be brought before the children's minds by illustrations and picturing out in words, in language simple and easy to be understood, from which everything sectarian and controversial shall be carefully excluded.<sup>5</sup>

No one publicly objected to the remarks of the School Visitor.

Everyone was in a too-euphoric mood on the occasion: the Liberal Premier, George Coles, who followed Stark on the platform, declared "this day [to be] the proudest of my life."<sup>6</sup> Nonetheless, within two days, a Special

4 Stark, a native Scot, had been on the Island for three years, and had made himself unpopular by his rigorous criticism of all who came under his eye as School Visitor. A Free Church Scot who refused to travel on Sundays, he was conscientious and would not compromise with incompetence or laxness. In his second report, he stated that "I could scarce have believed that there could have been in any part of the world so numerous a staff of teachers where so few had even the shadow of a qualification for their important office." (Assembly Journal, 1855, Appendix N, p. 63). As a result, angry and under-paid teachers poured anonymous abuse on him through the columns of the press. The Government was under pressure to either dismiss him or lower his salary. His position as Superintendent of the Normal School meant that he in conjunction with the seven-man Board of Education (of which he was a member) would formulate the rules and regulations for it, subject to the approval of the Executive Council.

5 See Irving, Normal School Soiree, p. 18.

6 Ibid., p. 27. A native Islander who had been largely deprived of the benefits of formal education, Coles nonetheless was a man of great natural ability, and an enthusiastic supporter of any measure for the extension of education throughout the Island.



Meeting of the Board of Education<sup>7</sup> had ripped Stark's knuckles by resolving that no books save those on a list that would be compiled, could be used at the Normal School.<sup>8</sup> When the list was published, the Bible was absent, and was thus excluded.<sup>9</sup>

Mr. Stark's views on the place of the Bible in public education upset someone besides the Board of Education: the Roman Catholic Bishop of Charleston. On 7 November, Bernard D. MacDonald,<sup>10</sup> unaware of the setbacks the Board had administered to Stark, protested to that body:

This introduction of religious matters into our public mixed schools is the Bait of Scandal.... [I] earnestly beg of the Board to reconsider the evil tendency of introducing religion in any shape into our mixed schools.... the same system as

7 The Board consisted of seven members appointed by the Executive Council. The Secretary was the only salaried official of the body, and was to be chosen by the members from among themselves. NPPs and clergymen were eligible for appointment to the Board, whose main functions were to examine, license, and classify teachers, to settle disputes between various districts, and in general to control by means of rules and regulations the policies of all public educational institutions except the Central Academy (Y. infra, p. 16, n. 31). The members of the Board also served as School Trustees for Charleston. As the powers of the Board were extensive, its decisions and resolutions were subject to ratification by the Executive Council, but in practice the veto was rarely used. See 15 V40, o. 13, passim.

8 Register, March 26, 1858. To the best of this writer's knowledge, the Minutes of the Board do not survive.

9 The list of Normal School regulations may be found in Irving, Normal School, p. 40. The report was dated 14 October 1856. The Board reaffirmed its support for the list of regulations (and thus the list of books) at its regular meeting on 30 October. Regulation number six related to the books to be used.

10 Bishop MacDonald, the first native Island priest, had held his episcopal post since 1837, when he succeeded the ogle figure, Bishop Angus B. MacEachern. In 1830 he had been appointed to the Island's first Board of Education. The reason for the Bishop's delay of over five weeks in writing was significant: Stark's speech aroused so little public notice on the Island that he had been unaware of it until he picked up a Roman Catholic newspaper of Halifax, Nova Scotia (see Kenneth Henderson in Assembly Debates, 1868, p. 167; and Samuel MacEachern in ibid., 1875, p. 200).

that followed in the Irish National Schools<sup>11</sup> must be adopted here. Prayers and all religious exercises, as well as the reading of Scripture from any version not approved by all, must be discontinued.... If the friends of education wish our mixed schools to prosper, their wish can only be realized by allowing these schools to be godless, under the present circumstances of the country. The Catholics, I am bound to say, will be satisfied with nothing else....<sup>12</sup>

Premier Coles quickly moved to allay the fears of the Bishop. After hearing of the letter, he immediately obtained an interview, and assured MacDonald that Stark had been unauthorized in the expression of his sentiments. The Bishop then wrote a short note stating that he was "perfectly satisfied" that he had acted as the result of a "misunderstanding," and authorized Coles to show his retraction "to all whom it may concern."<sup>13</sup> This Coles neglected to do, with disastrous consequences. The Bishop, considering the matter closed, did not bother to explain his change of heart to the Board of Education.

11 Although in the early years of the Irish National School System, clergymen of the various denominations were permitted to visit classrooms for the purpose of instructing children of their own persuasion in religious doctrines, this practice had been discontinued by the time MacDonald wrote.

12 Bishop MacDonald to John MacNeill (Secretary of the Board of Education), November 7, 1856; reproduced in Examiner, February 23, 1857; see also letter of John MacNeill, dated March 2, 1857, in ibid., March 2, 1857, making verbal corrections to the version published a week earlier. The Bishop appears to have been under the mistaken impression that "religious exercises, such as teaching and singing sectarian hymns," were becoming common in the district schools. Stark's subsequent investigation demonstrated that MacDonald's fears on this score were groundless (y. infra, p. 6; also p. 4, n. 14). Nonetheless, the Bishop's ~~own~~ own ~~has~~ has widened this issue from the Normal School (the only institution that Stark mentioned on 1 October 1856) to the whole public educational system, on which Stark was ordered to report; it was the substance of this report which predated the non-Roman Catholics into action, and began the Bible Question in earnest. It was not only the Normal School, but all schools which were now at issue. Hence the Bible Meeting of 13 February 1857, and the Board resolution of 23 February 1857 (y. infra, pp. 8-11) referred to the common school system, and not simply to the Normal School. The Bible Meeting also brought the Central Academy into the growing dispute (y. infra, p. 10, n. 14).

13 MacDonald to Coles, November 16, 1856; see also Coles to the Editor of Examiner, dated February 6, 1857; both letters are in ibid., February 9, 1857.

Bishop MacDonald's letter of 7 November caused quite a sensation at the regular monthly meeting of the Board, and Stark was ordered to investigate the nature and extent of Bible-reading in the public schools of the Island.<sup>14</sup> Stark delivered his report on 22 December,<sup>15</sup> and it showed no cause for the alarm of the Bishop: Bible-reading in the district schools was completely permissive, and Catholics were making as much use of this flexibility as were Protestants.<sup>16</sup> If anything, it gave evidence of a lack of friction, for only one serious complaint had been lodged with the Board, and it had been resolved.<sup>17</sup> The report indicated that as the Irish National Series of readers grew in popularity, Bible-reading proportionally decreased in the schools.<sup>18</sup>

14 The Bishop, although immediately informed of the inquiry by a letter from Secretary MacNeill, did not bother to inform the Board that such action was no longer necessary; see MacNeill to MacDonald, dated December 25, 1856, in ibid., February 23, 1857; in this letter, the Secretary refers to his communication of 27 November, the date of the monthly Board meeting.

15 A copy of the report was sent by MacNeill to the Bishop on December 25; both the report and the covering letter are reproduced in ibid. Bishop MacDonald apparently did not acknowledge receipt of the report and certainly made no public statement on it; see letter of Stark in Islander, February 20, 1857.

16 In the case of the French Acadian schools, Stark reported that they were not only doing this, but singing sectarian hymns as well; see his report, dated December 22, 1856, published in Examiner, February 23, 1857; see Note F, pp. 161, 162; also Y. infra, p. 66 and p. 66, n. 47.

17 See Stark's report, in Examiner, February 23, 1857; and William Swabey to Lieutenant Governor Dominick Daly, June 30, 1858, an enclosure in the Despatch, Daly to E.B. Lytton, July 6, 1858, C.O. 226, vol. 89, pp. 201-216. Swabey, a Liberal M.L.C., had sat on the Board since 1841.

18 For lack of other commonly-owned books, the Scriptures had been widely used as a reading text; see Reports of School Visitor MacNeill, Assembly Journal, 1842, Appendix D, pp. 13-14; ibid., 1843, Appendix B, p. 23; ibid., 1845, Appendix H, pp. 40-41; and ibid., 1846, Appendix C, p. 15. In the early 1840's catechisms were often used, but by 1846 they had disappeared from mixed schools, MacNeill personally favored non-denominational instruction in "the great truths of Christianity in which all sects agree." (Report for 1842, p. 14).

This report alarmed a very different group of people: the evangelical Protestants. The decrease in Bible-reading shocked them, and they laid the blame on 'the Bishop's letter,' which they had been shown through the courtesy of the Rev. David Fitzgerald,<sup>19</sup> a member of the Board. This of course was absurd, for the Bishop had written his letter after the Board, composed of five Protestants and two Roman Catholics, had unanimously decided to exclude the Bible from the list of books for the Normal School. This consideration, and the fact that neither Fitzgerald nor Stark had in October officially dissented from the decision of the Board, did not deter Mr. Fitzgerald from launching, in conjunction with Protestant clergymen of all denominations, a campaign for the legal establishment of the Bible in the schools. The status of the Bible was at that time based upon a de facto policy of the Board, which left the whole question to the local school trustees and parents. But what the Board could give, it could also take away, and this was the root of the fear that gripped Protestant settlements. Could the Board ban the Bible from the district schools as it had from the Normal School? Worried Protestants began to hold 'Bible Meetings' throughout the Colony, and passed resolutions letting the Government know exactly where they stood.<sup>20</sup>

19 Mr. Fitzgerald, a native of Ireland and a graduate of the University of Dublin, had arrived in Prince Edward Island in 1847, and was Assistant Minister at St. Paul's Anglican Church in Charlottetown. He had been appointed to the Board during his first summer on the Island. For a defense of the Board, see Swabey to Editor of the Examiner, dated February 4, 1857, in Examiner, February 9, 1857.

20 In spite of the vehemence of the evangelicals, Swabey, the senior member of the Board, and an Anglican, confessed himself

totally unable to make any satisfactory analysis, for there were Roman Catholics teaching the Scriptures whilst there were Protestants who did not...and were particularly in the district where the greatest excitement has been brought to play...they were not

The wave of indignation came to a crest at the 'Great Protestant Meeting' on 13 February 1857, when several clergymen addressed an overflow crowd<sup>21</sup> at Temperance Hall in Charlottetown. That afternoon, before the meeting, the reverend gentlemen met, and rejected overwhelmingly the moderate resolutions proposed by the Rev. Cephas Barker.<sup>22</sup> They were in a fighting mood, and no half-measures would do. The meeting reflected the predominantly Presbyterian character of Island Protestantism:<sup>23</sup> the Chairman, Colonel John Hamilton Gray,<sup>24</sup> was a Presbyterian, and we were most of the speakers, although the Wesleyans, Anglicans, and Bible

20 (cont'd) in use at all; the most patent fact was that the prayer prescribed by the Board was not in general use by the Presbyterians whilst all others complied.  
Swabey to Daly, June 30, 1858, in C.O. 226, vol. 89, pp. 205-206.

21 The Islander said that it was "the largest [public meeting] ...ever convened in this town"; Islander, February 20, 1857.

22 Mr. Barker, a Bible Christian minister, had come to the Island direct from England, just a year earlier. For his account of the preliminary meeting on the afternoon of 13 February, see his speech of 20 February at Temperance Hall, as reported in the Examiner, March 2, 1857.

23 In both the Census of 1848 and the Census of 1861 the Presbyterians formed 58% of Island Protestants. For a discussion of the various sub-groups of Presbyterians on P.E.I., y. infra, p. 27, and p. 27, nn. 9 and 10. Throughout the period of this thesis, Protestants constituted between 55% and 57% of the total population. For a statement as to which constituencies had Protestant majorities, and which had Roman Catholic ones, see Appendix, p. 323.

24 The son of a Loyalist, Col. Gray had been born in P.E.I. in 1812, had served in India and Crimea, and retired to Ireland before returning home.

Christians were represented.<sup>25</sup> It will never be certain what were the exact words spoken at the Hall that night, for the accuracy of the sole verbatim report became the subject of warm controversy between the speakers and the journalist who was present.<sup>26</sup> It had been published by the Examiner,<sup>27</sup> the organ of the leading Roman Catholic supporter of the Government, Edward Whelan.<sup>28</sup>

Nonetheless, there was no mistaking the tenor and content of the resolutions which were passed: the meeting thanked Mr. Fitzgerald for his vigilance in bringing the letter under the notice of the public, and decided to have the letter printed and distributed. It declared that "no education national or otherwise can be good...from which the Word of God is excluded," and resolved to petition the coming Session

25 The Revs. Messrs. Andrew Lechhead, Isaac Murray, Alexander Sutherland, Robert Patterson, and George Sutherland were Presbyterians; the Rev. John MacMurray was a Wesleyan; the Revs. Messrs. Fitzgerald and Charles Lloyd were Anglicans; and Mr. Barker was a Bible Christian. The writer is not sure of the denomination of the Rev. John MacKinnon.

26 See Note A, pp. 24-25.

27 See Examiner, February 23, 1857.

28 Whelan, a native of Ireland, was a remarkable figure in early Island history. An apprentice of Joseph Howe, he came to the Island at the age of nineteen, founded a newspaper called the Palladium, and galvanized the Reform forces at a time when George Coles, fourteen years his senior, was still a Tory. When he was twenty-two he was first elected to the Assembly, and in 1847 founded the Examiner; a brilliant writer and orator, he became the right-hand man of Coles the Liberal, and in 1851 was named Queen's Printer. See D.C. Harvey, The Centenary of Edward Whelan (Charlottetown: 1926); Emmet Mullally, "The Hon. Edward Whelan...One of Ireland's Gifts to Canada," OSCAR (1938-39), pp. 67-84; and Peter McCourt, Biographical Sketch of the Hon. Edward Whelan (Charlottetown: 1888). The latter is a 301-page collection of Whelan's speeches, with a biographical introduction of nineteen pages; Harvey's pamphlet is twenty-one pages in length.

of the Legislature for "the introduction of the Scriptures into the public schools"; finally, the meeting determined to establish "a Protestant Journal of such a character as shall be worthy of the hearty support of the Protestant population," since "the interests of Protestantism are not adequately regarded by the public press of this Island." When Mr. Barker attempted to ease the tension of the meeting by injecting a humorous note, he was brought to task by the Rev. Isaac Murray, who gravely asserted that "It is too solemn a question for facetiousness and quirks."<sup>29</sup>

Within weeks, petitions had been signed, the Protector and Christian Witness<sup>30</sup> founded, and a 'Protestant Combination' formed. The draft petition adopted by the Bible Meeting of 13 February warned that

We feel that we cannot any longer be a consenting party to the exclusion of the word of God from our public schools... and therefore humbly pray that your Honorable House will direct that the Holy Scriptures be placed on the list of books now in use in the public schools, and that it be introduced into the Academy<sup>31</sup> and the Normal School....<sup>32</sup>

<sup>29</sup> Examiner, February 23, 1857. The resolutions which Mr. Barker had presented in the afternoon would have confined Bible-reading "without note or comment" to the last half-hour of the day, with the minority having the option of retiring; ibid., March 2, 1857. Only Mr. Lloyd seemed to agree with Barker.

<sup>30</sup> Two days before its first number, Whelan christened it "the Sanctified Press." See ibid.

<sup>31</sup> The reference was to the Central Academy in Charlottetown, a government grammar school opened in 1836, which had its own Board of Trustees and Governors and was beyond the jurisdiction of the Board of Education; its Statute had a 'no-test' clause, which its Governors had consistently interpreted as banning the use of the Bible; see 10 Geo IV c.9, s.9.

<sup>32</sup> Examiner, February 23, 1857.

Despite their militant tone, the petitioners disclaimed any attempt at compulsion. The Board of Education quickly reacted to the implication that they had prohibited the use of the Bible in the district schools, and on 25 February re-affirmed their permissive policy:

...in a large number of the Schools of this Island, religious instruction is imparted to the children of those parents, both Protestant and Roman Catholic, who desire it, and who thereby, without offence, the one to the other, and in harmony, enjoy religious freedom. The Board think it would be in the highest degree unwise to disturb this happy state of things, for while they have no intention to prohibit the reading of the Bible, but have permitted, and will hereafter permit it, when desired by the parents of children, they feel it their duty, as having charge of the general educational interests of all religious sects, to set their faces steadfastly against any compulsory regulations....<sup>33</sup>

This resolution made no mention of the Normal School. In fact, the Bible had not been in use there, but at the same meeting, the Board accepted the offer of the Master, William Monk, to give one Bible lesson a week, after school hours.<sup>34</sup> The Government unwisely took no steps to publicize these decisions of the Board; had it done so, it might have undercut the growing agitation.

The Protector appeared in early March, and its first editorial promised to "oppose any system of priestcraft and superstition."<sup>35</sup> The 'Committee of Protestant Gentlemen' who edited the new journal demanded the Bible be read every morning upon the opening of school; Monk's meager suggestion for reform of the Normal School system was "a solemn mockery and no mean insult";<sup>36</sup> the Act governing the Central Academy

<sup>33</sup> Reproduced in Legislative Council Journal, 1857, p. 46.

<sup>34</sup> Protector, March 4, 1857.

<sup>35</sup> Ibid.

<sup>36</sup> Ibid.



would have to be amended, and the Bible specifically authorized.

The publisher of the Protector was George T. Hassard, son of a former King's Printer who had been displaced by the Liberals upon the advent of Responsible Government in 1851.<sup>37</sup> The editorial committee appears to have been part of the larger 'Protestant Combination', whose objective was the "defense and extension of Protestantism" in opposition to "the encroachments of the Romanists through their Bishop."<sup>38</sup> The President of the Combination was Col. Gray, the Chairman of the Great Protestant Meeting.

John N. Stark was not present at the Bible Meeting of 13 February, but he was lionized by it, and was named in the resolution of gratitude to the alert Mr. Fitzgerald. Hence, when Mr. Stark presented a new set of rules and regulations<sup>39</sup> for the governance of the Normal School, they

<sup>37</sup> J.D. Hassard had held the post from 1808 to 1811, and from 1830 to 1851, when Whelan succeeded him; G.T. Hassard had recently discontinued publication of Hassard's Gazette.

<sup>38</sup> The Rev. George Sutherland to Joseph Howe, undated, Joseph Howe Papers, vol. 5, pp. 198-199. Mr. Sutherland was co-Secretary (with Mr. Fitzgerald) of the Combination. This letter bears external and internal evidence of having been written in April 1857. Howe was at this time deeply involved with the Protestant Alliance of Nova Scotia, which was conducting a similar campaign for the Bible in the schools. It ended with the defeat of the Liberal Government which Howe supported. See C.E. Sissons, Church and State in Canadian Education (Toronto: 1959), pp. 316-318; J.M. Beak, The Government of Nova Scotia (Toronto: 1957), pp. 110, 205; and Nicholas Meagher, The Religious Warfare in Nova Scotia, 1855-1860 (n.p. [presumed Halifax]: n.d. [presumed 1927] (19) pp.), ibidem.

<sup>39</sup> Minutes of the Executive Council, January 15 and February 5, 1857; the Superintendent wished to draw a tighter rein on Mr. Beak, whom he had known as a boy in Scotland, and "whose public and private conduct since coming here has given me the keenest and bitterest disappointment of my career in this Colony." Letter of Stark in Protector, April 15, 1857.

were not sympathetically received by the Executive Council, who had the power of veto. Failing to receive any satisfaction, and aware that his salary was on the verge of reduction by one-third,<sup>40</sup> Mr. Stark, on the morrow of the Great Protestant Meeting, requested permission to resign,<sup>41</sup> effective 1 May. In less than a week he followed this by writing to a local newspaper<sup>42</sup> in defense of his views on the Bible Question--the Examiner had labelled him "a sort of loose screw on the State coach," and his remarks of 1 October "silly and presumptuous."<sup>43</sup> The Coles Government then lost patience, and dismissed him, effective

<sup>40</sup> Stark was being paid £300 per annum, of which one-third was to reimburse him for giving lectures in Agricultural Chemistry to local farmers. But since 1853, the number of schools had grown so quickly that he had to discontinue the lectureship, and reduce his visits to each school from two to one per annum; in 1856, this had been the pretext which the Tories and some Liberals had used in their attempt to cut his salary; as a compromise, Coles had not committed himself to pay the full £300 past 1856-57; and after dismissing Stark, the Government reduced the stipend to £200. See Stark to Colonial Secretary (Coles) dated February 14, 1855, in Assembly Journal, 1855, Appendix M, p. 93; Minutes of the Executive Council, August 9, 1856; *ibid.*, March 5, 1857; and Coles in Assembly Debates, 1858, p. 76. In 1856, Stark had been sustained by a 10-9 vote; see Assembly Journal, 1856, p. 31.

<sup>41</sup> Minutes of the Executive Council, February 19, 1857. Stark's resignation was dated 14 February, and strongly criticized Stark: his conduct "has been such that he [Stark] has lost all confidence in him."

<sup>42</sup> Hazard's Gazette, February 18, 1857; this number does not survive, but the letter was reprinted in the Islander, February 20, 1857, which does survive.

<sup>43</sup> Examiner, February 9, 1857.

immediately.<sup>44</sup> His allegation that the Government had rendered "his authority as Superintendent...null and void"<sup>45</sup> had angered the Council; they had altered two, disallowed one, deferred consideration of a fourth, and ratified the fifth of his new rules. They considered Stark's request to be "couched in objectionable terms, and evidently intended to cast blame on the Council."<sup>46</sup>

Stark was now more than a hero: he was a martyr. The Protector attributed his downfall to "his unwillingness to be a partner in succumbing to Romish intrigue."<sup>47</sup> For his own part, Mr. Stark, who by this time must have been happy enough to be leaving Prince Edward Island, simply defended the job he had done in his years in the Colony,<sup>48</sup> and the position he had taken. He had been hired to implement the 'Stowe System',<sup>49</sup> and "I have always made it clear that Bible training was the

44 Minutes of the Executive Council, February 21, 1857; his salary was to continue until 31 March.

45 Ibid.

46 Ibid. Because of the undoubted competence and dedication of the late Visitor, the Liberals altered their version of the incident over the years; e.g., in 1868, Coles denied that he had discharged Stark: "He resigned, and that Government were sorry when he left the country....he was the right man in the right place." See Assembly Debates, 1868, p. 158.

47 Protector, March 18, 1857.

48 Whelan had publicly charged him with 'neglect of duty'; see Examiner, March 23, 1857; Coles continued on this theme in Assembly Debates, 1858, p. 76.

49 It was named for Professor David Stowe (1793-1864), whose Normal Seminary in Glasgow had trained Stark and Monk. An Elder in Dr. Chalmers' Church, "Stowe placed religious and moral training before him as the principal objects to be attained in education." In 1827 Stowe had founded the first 'normal school' in Britain, where Bible lessons formed an integral part of the curriculum: "he attached special importance to what he called 'picturing out', by oral description and illustration..." (Dictionary of National Biography, vol. IV [ed. by Sidney Lee], 1896, pp. 1-2) These had virtually been Stark's words on 1 October 1856.

foundation-stone of the system....I was allowed to go on in the understanding that it would be introduced."<sup>50</sup> Coles quickly and flatly denied the latter assertion: he had never led Stark to believe the Bible was to be made "compulsory" in the Normal School- the Stowe System was to be applied only in its secular aspects, and Stark's statement of 1 October had been unauthorized.<sup>51</sup>

This correspondence in the press did not establish who had misunderstood whom, but one salient point did emerge: Stark had not used the word 'compulsion', but the Liberals chose to interpret any attempt to make the Bible a 'class book' as tending towards compulsion.<sup>52</sup> Teachers were expected to use no other books than those on the authorized lists<sup>53</sup> prepared by the Board, and, by implication, to use all those books. Hence the opposition to a legal authorization of the Bible rested upon a double rationale: satisfaction with the extra-legal status quo, and a fear of the supposed rigidities involved in giving the Bible a statutory basis in the public schools.

50 Letter of Stark to Editor of Massard's Gazette (dated February 17, 1857), in Islander, February 20, 1857; see also letters of Stark in Protestant, April 8 and 15, 1857.

51 Letter of Coles, dated February 20, 1857, in Examiner, February 23, 1857.

52 See Swabey in Legislative Council Debates, 1857, p. 49, on this fear that a desire for 'compulsion' lay behind the petitions.

53 The Bible was an exception, under the permissive policy of the Board. This 'gentleman's agreement' was embodied in the resolution of 25 February (Y. SMK, p. II).

In early March, the 'Bible Petitions' began to flow into the Legislature;<sup>54</sup> by the middle of the month, some eighteen had arrived.<sup>55</sup> The Protestant sense of injustice had fed upon the dismissal of Stark, and the claims of misquotation by the Examiner: a Protestant layman had been dismissed for his love of the Bible by a government whose support was over one-half Catholic, and the Protestant clergy were suffering the indignity of misrepresentation at the hands of a newspaper owned and edited by a Catholic. The last straw must have come when Father James MacDonald wrote to the Examiner, defending his Bishop and challenging the Rev. Mr. Patterson on theological points, in the public press.<sup>56</sup>

On 20 March, the Bible Question came before the House of Assembly. Coles, Whelan, and James Warburton,<sup>57</sup> the three leading Liberals, maintained that existing arrangements gave ample latitude to those teachers and trustees who desired Bible-reading in the district schools.

54 The Session had begun on 26 February.

55 See Assembly Journal, 1857, pp. 18-26.

56 This was the first defence offered by a Roman Catholic clergyman. For Fr. MacDonald's letters, see Examiner, March 2 and 30, 1857; for those of Mr. Patterson, see Protestor, March 18 and 25, and April 22, 1857. Fr. MacDonald had been one of the first graduates of St. Andrew's College. (v. infra, p. 38).

57 Warburton, like Coles an Anglican ex-Tory, and like Whelan a native of Ireland, had been educated at a Jesuit College in France, and was Colonial Treasurer.

The Opposition disagreed. Led by Edward Palmer,<sup>58</sup> they demanded the Bible be given a legal guarantee of its place in the classroom. T. Heath Haviland Jr.<sup>59</sup> declared that "Secular education without religious instruction does more harm than good."<sup>60</sup> Little came of his enthusiasm, although his father moved an amendment to the Free Education Act, proposing that the Holy Scriptures "shall and may be read daily" in the Central Academy, Normal School, and all other public schools where the parents were willing.<sup>61</sup>

Coles and Warburton claimed that the safeguards against abuse under such a provision were inadequate: any non-secular teaching

58 Palmer, a native Islander, was aged forty-eight, and a veteran of twenty-three years in the House. An opponent of Responsible Government, he had fought a bloodless duel with Coles in 1851.

59 T. Heath Haviland Jr., and his father, T.H. Haviland Sr., were the most vehement of the pre-Bible group in the House. The son was a barrister, thirty-five years of age, and educated in Belgium; the father was sixty-one years of age, and had been a long-time sinecurist in the days before 1851. A condition of Responsible Government had been that he, as former Colonial Secretary, receive an annual pension of £200. Like Palmer and most of the Tory establishment, they were Anglicans and had considerable personal interest in the Land Question: (y. infra, pp. 29, 30) the father was a proprietor, the son an agent.

60 Assembly Debates, 1857, p. 57.

61 Assembly Journal, 1857, pp. 35-36; it was defeated by a vote of 12 to 8.

should be confined to the end of the day.<sup>62</sup> Warburton cautioned that "if the compulsory use of the Scriptures in the schools be made the law of the land,...Catholic children will withdraw from them, and thus nearly one-half of the people of the Island will be deprived of the privilege of having their children educated."<sup>63</sup> Coles expressed his confidence that had the petitioners been aware of the 25 February resolution of the Board, they would have let well enough alone;<sup>64</sup> the Premier also reminded the Bible enthusiasts that of the 146 schools not using the Scriptures, over one-half were in Protestant districts.<sup>65</sup> There was nothing ominous in the decreasing rate of Bible-reading in the schools: it was a natural concomitant of the growing popularity of the Irish National School Series, which Stark had recommended as "excellent."<sup>66</sup> For his own part, Coles would consider it "a blessing in this country if people obtained a secular education for their children without a religious one."<sup>67</sup> Whelan, the outstanding Catholic Assemblyman,

62 See Coles in Assembly Debates, 1857, p. 55.

63 Ibid., p. 54.

64 Ibid., p. 26.

65 Ibid., p. 54. They were in use in ninety-two schools. These statistics were drawn from Stark's report of 22 December 1856.

66 Ibid., p. 57.

67 Ibid., p. 58.

darkly warned that

countries which have tried the religious element in their public schools have not been more fortunate in cultivating public virtue and morality than those countries that wisely leave the inculcation of religion to those places which are specially set aside for its ministrations, and to the domestic hearth.<sup>68</sup>

Anything else in a mixed community would create "a horde of juvenile dogmatists."<sup>69</sup>

Palmer totally disagreed with the Government: "education to be useful and safe to the people, should be based on the christian religion." He endorsed Stark's view of the Stowe System as centred on the Bible, and accused Coles of desiring "the total exclusion of the Scriptures from the schools."<sup>70</sup> This provoked Robert Mooney, an Irish Roman Catholic, to exclaim "What a mass of hypocrisy! God forgive him!"<sup>71</sup> Palmer thought he detected "the barking of dogs", and called upon Mooney to cease "all that balderdash."<sup>72</sup>

In a more dignified tone, Haviland the Elder explained that "the chief cause of alarm" was "the exclusion of the Scriptures from the Normal School." It was true that the Bible was now optional in the

68 Ibid., p. 62.

69 Ibid., p. 63.

70 Ibid., p. 58. Coles denied this interpretation of his words, and gently reminded Palmer that it was he who had in 1856 led the attempt to reduce Stark's salary; ibid., p. 59.

71 Ibid., p. 60.

72 Ibid., p. 61.



district schools, but "a Board which makes an order today may rescind it tomorrow."<sup>73</sup> His son added that "if we are in the majority, we ought to have such books used in school as we think proper."<sup>74</sup> He frankly admitted that "my reason for acting in the matter now, is in consequence of the Roman Catholic Bishop's letter....he was opposed to having the Bible in the school for any party. That is the reason why I wish now to have the Bible in school."<sup>75</sup>

But not all Tories were of the mind of Palmer and the Havlands. Duncan Maclean,<sup>76</sup> the vigorous editor of the Islander, agreed with the Government: the "shall and may" phrase in the Havland Amendment implied compulsion.<sup>77</sup> Maclean was no friend of clericalism: an 'infidel',<sup>78</sup> he had adamantly opposed opening the doors of the Central Academy to the Bible twelve years earlier, when he was an Assemblyman.<sup>79</sup> Forced to

<sup>73</sup> Ibid., p. 54.

<sup>74</sup> Ibid., p. 57.

<sup>75</sup> Ibid., p. 58.

<sup>76</sup> Maclean, a former Lower Canadian and reportedly an associate of Louis-Joseph Papineau, had served in the Island Assembly from 1842 to 1850; originally a Reformer, he joined the Tories around 1847 and became editor of the Islander in 1851. He carried on a personal feud with the Liberal leaders, whom he often referred to as 'Jarge Goals', 'Noddy', and 'Jemie Hearbottom'.

<sup>77</sup> Islander, March 27, 1857.

<sup>78</sup> This is an imprecise term, but it is what Islanders of this era called men like Maclean, whether they were atheist, Unitarian, agnostic, or simply apostate. Maclean said that 'politics is the religion of Duncan Maclean.'

<sup>79</sup> He had been the only Member to vote for an amendment of his own, which would have struck out the word "compulsory" from a resolution declaring it "expedient to adopt any compulsory measures for the introduction of the Bible as a class book" in the public schools of the Island. See Assembly Journal, 1845, p. 41. He also objected to the term 'Word of God,' as applied to the Bible; this was "a matter of belief, not of proof"; see summary report of Assembly Debates in Journal Gazette, April 15, 1845.

learn the Bible as a child in Scotland, he had acquired a lasting indifference to it.<sup>80</sup> His support of the Liberals against his political friends evoked letters of protest from Haviland the Elder and Palmer; they had not desired to force the Bible on anyone, but simply to clear the way of obstacles to its use.<sup>81</sup> In reply, the editor conceded that this may have been their intention, but he adhered to his original interpretation: this was not what the resolution had said.<sup>82</sup>

MacLean had previously tried to avoid involvement in the Bible Question, in the belief that "all will be well if the matter be left, as at present, to the discretion of the people, without prohibiting or rendering compulsory the reading of the Bible."<sup>83</sup> But now he was in the thick of the fight. The Protector, in supporting Haviland and Palmer, warned MacLean to "purge and elevate the tone of your paper, and beware of opposing the interests of Protestantism."<sup>84</sup> From this time forward, nothing better than an uneasy truce prevailed between the two journals, for neither was disposed to take a backward step.

80 Summary report of Assembly debates in Islander, April 12, 1845; see also the report in Palladium, March 29 and April 5, 1845; MacLean's letter in ibid., April 14, 1845, complaining of the Islander's alleged misquotation of him; and finally, reporter Thomas Preedy's refusal to retract, in Islander, April 19, 1845.

81 Letters of Haviland and Palmer, in ibid., April 3, 1857.

82 Editorial in ibid.

83 Ibid., February 27, 1857.

84 Protector, April 1, 1857.

The first phase of the Bible Question was over. The lines were drawn and the protagonists had appeared. On one side were the Roman Catholic population, the Protestant Liberals, and Duncan MacLean. Opposed to them were the evangelical Protestants and the old Tory Party of Palmer, the Havilands, and the Longworths.<sup>85</sup> Each side was equally unbending. The Liberals, sure of themselves after the 'Bible Debate,' twice refused<sup>86</sup> ratification of a recommendation made by the Board of Education, for permissive daily Bible reading in the Normal School, confined to the opening twenty minutes of the morning. This adamant refusal to compromise was amazing, for the suggestion was based upon a Committee report signed by the Attorney General, Joseph Hensley,<sup>87</sup> and a Roman Catholic, John Rigg, as well as Mr. Fitzgerald.<sup>88</sup> Furthermore, two members of the Executive Council and two Roman Catholics<sup>89</sup> were among the six Board members who adopted the committee report.

85 The Longworths were Anglicans and landholders; Francis Jr. was an M.H.A. in 1857, and John became one in 1859.

86 Minutes of the Executive Council, April 2 and May 7, 1857; the reason given was interference with the hours of secular instruction.

87 Hensley, an Anglican, was a Legislative Councillor.

88 The committee of three, in the company of the Rev. Mr. Patterson, visited the Normal School on 28 March, and formed "a very favourable opinion" of its secular work. The fact that the building had two separate classrooms was the decisive consideration for the committee; see Minutes of the Executive Council, April 2, 1857.

89 Hensley and Stracey were the Executive Councillors, and Rigg and John Kenny, Head-Master of the Central Academy, the Catholics; the date was 1 April.

The 'Bibleans' were as persistent as the Government was immovable: "we love peace, but we love the Bible more,"<sup>90</sup> affirmed the Protector. They had suffered another foul. The inoffensive resolution of Haviland had been misrepresented by the Government, with the complicity of the infidel Duncan MacLean. The conclusion was inescapable: "Barker, Warburton, Whelan, and others...have conspired to rob the lovers of the Bible in this Island of one of our most valued rights."<sup>91</sup>

90 Protector, April 29, 1857.

91 Ibid.; Warburton and Barker headed the list of villains because the Colonial Treasurer and some other laymen had recently presented Barker with a Bible for his work towards denominational harmony; see Warburton to Barker, dated March 26, 1857, and Barker to Warburton, dated April 1, 1857, in Examiner, April 13, 1857.

## NOTE

Note A. The Reporting of the Great Protestant Meeting of 1857. No less than five ministers claimed their words had been distorted: see letters of Mr. Patterson, in Protector, March 18 and 25, 1857; Mr. Fitzgerald, in ibid., March 18, 1857; Mr. Lloyd, in Examiner, March 2, 1857; and Mr. Murray, in ibid., March 30, 1857, and Protector, April 1, 1857. The latter was an open letter to Whelan, the editor of the Examiner, accusing him of deliberately garbling the speeches of 13 February. Whelan also published a portion of a letter from the Rev. George Sutherland, complaining of mistakes in the Examiner, February 23, 1857. Whelan omitted most of the letter, as lying in the field of religious polemics; see ibid., March 9, 1857.

For the reporter's defence, see letters of Thomas Kirwan, dated March 11, 1857, in ibid., March 16, 1857; and undated, in ibid., March 23, 1857. In the former, Kirwan stigmatized his detractors as "foul-mouthed divines" (with the exception of the Revs. Messrs. Lloyd and Barker). Kirwan went on to have a long and successful journalistic career in Boston, where he died in 1911 at the age of eighty-two. He had served in the American Civil War, after which he returned to the Island to edit the Summerside Progress between 1866 and 1869. In the latter year he took up permanent residence in the United States. (This information is derived from an obituary pasted to the inside cover of the PAPER's volume of the People's Journal, a short-lived Liberal paper which Kirwan edited in 1857 and 1858.)

## Note A. (continued)

Unfortunately, the sole published secondary work which mentions the Great Protestant Meeting, John C. MacMillan, History of the Roman Catholic Church in Prince Edward Island from 1835 to 1891 (Quebec:1913), pp. 230-236, accepts Kirwan's reporting in toto, and gives no hint of the controversy surrounding its authenticity.

## Chapter Two

"Vital Christianity is ever aggressive,"<sup>1</sup> declared the Protector. The Prince Edward Island that the Protector's brand of Christianity burst upon was itself a vital, aggressive society, full of energy and self-confidence. A non-resident proprietor wrote in 1853 that "removed as they are from all intercourse with the world, these narrow-minded Provincials really fancy themselves par excellence THE people of British North America...."<sup>2</sup> The economy was based upon agriculture, shipbuilding, and fishing. Farming was the dominant occupation, but shipbuilding was more representative of the entrepreneurial zeal of the Colony: the model Islander was not a placid farmer,<sup>3</sup> but an enterprising small businessman, like the distiller, George Coles,<sup>4</sup> or the publisher, Edward Whelan.

1 Protector, August 5, 1857.

2 B.W.A. Sleigh, Pine Forests and Hacmatack Clearings (London: 1853), p. 174.

3 Indeed the farmers themselves, despite the problem of land tenure (y. infra, pp. 29, 30), improved their land at a rapid pace, whether they owned it or not; but of course the rate of improvement doubled in the 1870's, once leasehold tenure had been abolished. See J.E. Lattimer, Economic Survey of Prince Edward Island (Charlottetown: 1944), p. 18; also the chart on the same page.

4 Coles's business did not help his standing with the Protestant clergy, who had begun their 'temperance' campaign in the early 1850's. It has recently been shown how participation in reform movements concerning alcohol and education served to give the pioneer clergyman some of the characteristics of the latter-day political 'boss,' as well as to break down the exclusiveness of the sect. Hence these sectarian-inspired crusades were a 'socializing' influence on the members of the sect. See S.D. Clark, Church and Sect in Canada (Toronto: 1948), pp. 253-255.

The bulk of the population was young,<sup>5</sup> and native-born.<sup>6</sup> A recent writer who has done extensive work on the Island population of this period has made the following estimate of its ethnic origins:

It is probable that, in the early 1850's, something just under half of the population called itself Scottish, about one-tenth was clearly Acadian, and of the rest more claimed ancestors from England than from Ireland. Kings and Queens counties were still overwhelmingly Scottish and Scots were widely scattered through Prince as well, especially in the eastern townships....The Irish were the most evenly distributed but showed particular concentrations near the two county boundary lines.<sup>7</sup>

As previously mentioned,<sup>8</sup> the Island was predominantly Protestant, and among the Protestants, Presbyterians formed the largest group. They were in turn composed of three main groups:<sup>9</sup> the Kirkmen, Secessionists, and Free Churchmen. Of the three, the Secessionists and Kirkmen each appear to have commanded the loyalty of about two-fifths of the Island Presbyterians, with the remainder adhering to the Free Church.<sup>10</sup> On matters relating to 'religion and education,' there appears to have been

5 In the Census of 1848, only 7,837 of 62,678 inhabitants were over the age of forty-five; in that of 1861, there were 11,195 of 80,857 over forty-five.

6 Between 1848 and 1861 the proportion of non-native-born declined from 30% to 22.1%; see Andrew H. Clark, Three Centuries and the Island (Toronto: 1959), p. 121, Table V.

7 Ibid., p. 91. It seems impossible to be more precise, for the ultimate origins of the Island population were not recorded until the first Dominion Census in 1881; see ibid., p. 88.

8 Y. SRG, p. 8, n. 23.

9 There was a fourth group, named the McDonaldites, scattered throughout the Island, and held together by the remarkable personality of the Rev. Donald McDonald, an itinerant preacher who described himself as a Kirker.

10 There are no statistics on the relative numbers of these three groupings of Presbyterians. This writer's estimates have been made on the basis of miscellaneous readings, as well as the Presbytery Minutes which are at APH.



no division of opinion: the only observable difference was in the vigour of the presentation of these views, which was a reflection of the greater energy of the more evangelical Presbyterians, especially the Free Churchmen.<sup>11</sup> Of the Island Protestants who were not Presbyterians in one form or another, about one-third was Anglican, another third was Wesleyan, and the remaining third was composed of Baptists and Bible Christians.<sup>12</sup>

Of the Roman Catholic population, probably more than one half were Irish, and the majority of these had come before the Famine of the 1840's. Most of the Catholics of Scottish origin could trace their arrival on the Island to the late eighteenth century,<sup>13</sup> while the Acadians had first arrived in the early 1700's.<sup>14</sup> The Scots, by virtue of their long establishment in the Colony, supplied most of the priests in the early part of the period under study. The Acadians, still cowed by their dispersal a century earlier, kept to themselves as best they could. There is little evidence of national friction between the Irish settlers and the Scottish Roman Catholics who had been on the Island for two or three generations, as the bulk of the new arrivals were as inoffensive as their Gaelic-speaking co-religionists.

11 These disputes which arose were usually owing to personal differences and misunderstandings within the various Presbyteries.

12 The Bible Christians were an offshoot of the Wesleyan Church.

13 See John C. MacMillan, *Early History of the Catholic Church in Prince Edward Island* (Quebec: 1905), pp. 42-44; and n.s., *The Arrival of the... Scottish Catholics... in Prince Edward Island...* (Summerside: 1922).

14 See D.C. Harvey, *The French Acadians in Prince Edward Island* (New Haven: 1926); and J.-H. Blanchard, *L'Établissement des Acadiens de l'Île de Prince-Édouard* (Moncton: 1927).

Of the four national groups who composed the Island population, the English were in the best social and economic position:

In general those of ultimate English origin (and these included descendants of people from more than half of the counties of England, Loyalists, New Englanders, and disbanded soldiers) were situated where agriculture was most intensive and productive or in the best locations for ship-building or fishing. On the average they had more capital and more applicable agricultural skills. With the English should be grouped some, at least, of the Lowland Scots. But the great majority of Highland Scots and Southern Irish had come as poverty-stricken immigrants and had advanced their circumstances very slowly over the years....Throughout the middle decades of the nineteenth century, where the land was poorer, rougher, swamplier, or less accessible, there Gaelic, the Acadian patois, or a distinctly Caledonian or Hibernian inflection of English was likely to be heard.<sup>15</sup>

The drag on the economy and society of Prince Edward Island was the 'Land Question,'<sup>16</sup> a long-standing sore. In 1767, the British Government had divided the Island into sixty-seven lots, of approximately 20,000 acres each, and distributed them among current favourites. In the early nineteenth century, several large estates had been consolidated,<sup>17</sup> and in the mid-1850's more than half the occupiers of land were leaseholders.<sup>18</sup> The social results were two-fold: a large tenant class, unlike

<sup>15</sup> Clark, Three Centuries and the Island, p. 91.

<sup>16</sup> For a more extended treatment of the Land Question, see Frank MacKinnon, The Government of Prince Edward Island (Toronto: 1951), pp. 105-119. A book on the subject is currently being prepared by Father Francis W.P. Belger of Saint Dunstan's University, Charlottetown.

<sup>17</sup> See Clark, Three Centuries and the Island, p. 52. The three largest proprietors were non-resident: Sir Samuel Cuney, Lord Selkirk, and Charles Worrall; see ibid., p. 97, Figure 46.

<sup>18</sup> Ibid. p. 93, Table III.

anything elsewhere in North America,<sup>19</sup> and a clique of proprietors and their agents, who had too much power in local politics and business affairs.<sup>20</sup> Fed upon the cries of 'the rights of property' and 'the oppressed tenantry,' this class division accounted for much of the bitterness between Tery and 'Snatcher.'<sup>21</sup> Governor Daly declared that, "My experience of Colonial Government has not made me acquainted with any instance of the intense personal animosity which is exhibited by the political parties of this Island, fanned, as it is, by a scurrilous and unprincipled press."<sup>22</sup>

Deterrent though it was to progress, the leasehold system did not prevent Coles and Whelan from carrying out a programme of moderate reform<sup>23</sup> in the early 1850's. They won 'responsible government,'<sup>24</sup>

19 A.H. Clark calls this group, largely composed of Highland Scots and Southern Irish, "as close to the level of a European peasant tenantry as one would be likely to find in the New World."; *ibid.*, p. 91.

20 In 1856, one-third of the M.H.A.'s were of this group; see Coles in Assembly Debates, 1856, p. 10.

21 The latter name had been applied in the 1840's to the Coles-Whelan group in reference to Responsible Government and the Land Question; it was alleged that they wished to 'snatch' office and land. Whelan retaliated in the late 1850's by referring to the Editorial Committee of the Protector as "the Smarlers."

22 Daly to Lytton, November 12, 1858 (confidential), C.O. 266, vol. 89, p. 363.

23 Whatever they would have liked to do about the Land Question, they knew there was no point in enacting any radical, coercive measures, for the influence of the proprietors at the Colonial Office was paramount, and the legislation would be refused Her Majesty's assent. In any case, Coles and Whelan were nineteenth-century liberals, not radicals.

24 See W. Ross Livingston, "Responsible Government in Prince Edward Island," University of Iowa Studies in the Social Sciences, IX, no. 4, 1951. Francis Longworth Jr., had been the most vehement opponent of the reform. An M.A. thesis (for the University of New Brunswick) entitled "The Hon. George Coles and the Establishment of Responsible Government in Prince Edward Island," is currently being prepared by Lorne Hesse of the P.E.I. Dept. of Education.

made the franchise universal for adult males, and passed a Land Purchase Act which enabled them to buy the 80,000-Acre 'Worrell Estate.'<sup>25</sup> But the most advanced measure was in the field of education: in 1852 the Island became the first Maritime Colony to pay the full salaries of district teachers from the Treasury.<sup>26</sup> Among the public educational institutions, only the Central Academy was not totally 'free'. In his first Report, Stark eulogized the principle: "This small Colony...has solved for herself the question which has been agitating the public mind of Britain for so many years, and which is still at issue."<sup>27</sup> The number of students enrolled doubled within two years.<sup>28</sup> This 'Free Education Act' had been inspired by a

25 See Note A, p. 70.

26 The payment in full of the teachers' salaries by the Treasury meant an end to reliance for this purpose on the two other sources of revenue: local assessment and tuition fees. The teachers paid under the 'Free Education Act' were specifically forbidden to demand the latter (see 15 Vic., c.13, s.11), and the former was only to be used for the erection and maintenance of school buildings, which were the responsibility of the local Trustees (these officials were chosen by the resident householders of the district). See 15 Vic., c.13, passim. Nova Scotia was the next, in 1864. P.E.I. had been the last in the Maritimes to establish local school machinery; see G.A. Frecker, Education in the Atlantic Provinces (Toronto: 1956), p. 58. For the best summary of early Island education, see Samuel N. Robertson, "The Public School System," in D.A. MacKinnon and A.B. Warburton, editors, Past and Present in Prince Edward Island (Charlottetown: n.d., presumed ca. 1906), pp. 362a-372a. Dr. Robertson was Principal of Prince of Wales College, Charlottetown, from 1901 to 1937. Also see Heber R. Matthews, Education in Prince Edward Island, unpublished M.A. thesis, Mount Allison University (1938), pp. 1-16.

27 Assembly Journal, 1855, Appendix M, p. 62.

28 Ibid., 1858, Appendix T, p.1 (MacNeill's Report). In 1855, a New Brunswicker wrote that the Island Colony "sends one-third more children to school, in proportion to its population, than either [N.B. or N.S.]"; see Alexander Moore, New Brunswick, (Halifax: 1855), p. 367.

visit of Coles to Ohio and Massachusetts in 1848, where he had seen first-hand the benefits of state-paid education,<sup>29</sup> and it had been guided by Whelan's knowledge of the handling of the problems of mixed schools by the Irish National System.

By the mid-1850's Prince Edward Island was becoming more of a democratic society. It had not always been this way, as D.C. Harvey has pointed out, in a commentary which he applied to Nova Scotia and New Brunswick, as well as the Island Colony:

In the capital of each province an aristocratic official coterie paid court to the governor, or representative of the Crown. This coterie included the officials of government, the military and naval officers, the judges and leading lawyers, the bishop or higher clergy and the more prominent merchants. The remainder of the citizens of the capital, and practically all of the rural communities, were looked upon with good humoured tolerance unless they attempted to break into these exclusive circles. The government itself was paternal in character.... [the coterie of aristocrats] thought in terms of peasant and proprietor and of perpetual class distinctions.<sup>30</sup>

This was in miniature the aristocratic society of the eighteenth century, and its nepotism<sup>31</sup> and unrepresentative governing of the Colony were not at all agreeable to nineteenth-century liberals like Coles and Whelan.

29 See Coles in Irving, Normal School Series, p. 28; Patriot, September 3, 1875; and Duncan Campbell, History of Prince Edward Island (Charlottetown: 1875), p. 200. The 'Free Education Act' was the popular title of the measure, and indeed other statutes occasionally referred to it as such; see e.g. 17 Vic., c.3.

30 D.C. Harvey, "The Heritage of the Maritimes," IR (1934-35), p. 30.

31 See e.g. the family connections within the Island Government in 1841, as pointed out by MacKinnon, The Government of Prince Edward Island, p.38, n.1.

They wanted a 'career open to the talents,' and a government responsive to the wishes of the population— not one which regarded all outside its circle with disdain. With these goals in mind, the reformers steadily augmented the powers of the Assembly, and when Coles won the election of 1850 by a majority of eighteen to six, his group refused to assume responsibility for the civil list unless they were also given control of Crown revenues, and unless the official advisers of the Governor were required to possess the confidence of the Assembly. By 24 April 1851 Coles had won his point, and Prince Edward Island had become the third and last maritime colony to acquire 'responsible government.'<sup>32</sup>

When the virus of religious animosity entered the bloodstream of Island education and politics in the late 1850's, it had two incidents to draw upon for sustenance: the Bible Question of 1845 and the Belfast Riot of 1847. The earlier occurrence was an abortive attempt to force open the doors of the Central Academy to the Bible. The agitation began with the Annual Meeting of the Auxiliary Bible Society<sup>33</sup> of Charlottetown on 27 January 1845. The more militant members caught the more serene by surprise,<sup>34</sup> and introduced and passed a resolution which stated that "it

<sup>32</sup> See *ibid.*, pp. 41-56, and 61-85. After 1851, the term 'Reformer' was supplanted by 'Liberal,' and by the end of the 1850's was in virtual disuse; 'Tory' was slower in yielding to 'Conservative' (see *ibid.*, pp. 242-243).

<sup>33</sup> See Note A, p. 54.

<sup>34</sup> See letters of Charles Hensley in *Islander*, February 8 and 15, 1845. He was Secretary of the Academy Trustees, and present at the Bible Society meeting.

is beyond a doubt the first duty of a Christian Legislature to provide for the religious training of the young...."<sup>35</sup> Encouraged by the acceptance of their manifesto, they went on to observe "with deep regret, the exclusion of the word of God from the Class Books of the Central Academy, and confidently trust that the Officers of this Society will, by exerting their just influence, remove this glaring and unchristian defect."<sup>36</sup>

The Executive of the Bible Society took its task seriously. It published the minutes of its Annual Meeting,<sup>37</sup> raised petitions, and wrote to the Trustees of the Academy in support of its views. These moves were not sympathetically received. Lieutenant Governor Huntley, the Patron and Visitor of the Academy, replied that the attitude of the Society "tends directly to retard the advance of the Bible, as a Class Book, into the Central Academy."<sup>38</sup> The Secretary of the Academy's Board of Trustees refused even to consider the petitions: "a right interpretation of the Statute restrains them from introducing the Bible as a Class Book...."<sup>39</sup> The Colonial Secretary, Mr. T.H. Haviland, reputedly

<sup>35</sup> Seventh Annual Report, Auxiliary Bible Society Records (P.B.I.), 1845.

<sup>36</sup> Ibid.

<sup>37</sup> See Royal Gazette, February 4 and 18, 1845; also Islander, February 22, 1845.

<sup>38</sup> H.V. Huntley to the Rev. L.C. Jenkins (President of the Bible Society), dated February 13, 1845, in Royal Gazette, February 25, 1845. Huntley was also Patron of the Bible Society.

<sup>39</sup> G. Hensley to Jenkins, dated February 16, 1845, in ibid. These letters were published in the press as the result of a meeting of the 'Committee of the Bible Society,' on 24 February 1845; see ibid.

threatened to resign as a Trustee should the Bible be forced upon the institution.<sup>40</sup> Adding insult to injury, Whelan's Palladium irreverently remarked that the proceedings of 27 January "will furnish matter for a laugh...."<sup>41</sup> Although these were serious setbacks, the Bible Society was not discouraged. Unable to budge the Trustees, it approached the Legislature. With the aid of the Secession Presbytery of the Island, which feared "the exclusion of the Bible from the public schools,"<sup>42</sup> it requested repeal of the 'no-test' clause in the Act governing the Academy.<sup>43</sup>

The 'Bible Petitions' received rough treatment at the hands of Joseph Pope,<sup>44</sup> the Speaker of the Assembly. He was not impressed with the ostensible object of the petitioners: "to promote the glory of God, and the knowledge of the Lord Jesus Christ, by the early instruction of youth in the principles of the word of God."<sup>45</sup> Rather, Pope charged that "the real meaning of the movement, stripped of its disguise, is to get the Protestant version of the Bible exclusively introduced into the Central Academy... [and] make the Institution a sectarian one."<sup>46</sup> He foresaw the withdrawal of the children of Roman Catholics and "Dissenters"

40 See Coles in Assembly Debates, 1857, p. 58; also Swabey to Daly, June 30, 1858, in C.O. 226, vol. 89, p. 202.

41 Palladium, February 1, 1845.

42 Minutes of the Secession Presbytery (P.E.I.), March 11, 1845.

43 Y. supra., p.10, n.31.

44 Pope, a Protestant and a native of England, was forty-two years of age, and a veteran of fifteen Legislative Sessions.

45 Assembly Journal, 1845, p. 40.

46 Summary report of Assembly debates of 27 March, in Islander, April 12, 1845.



from the Academy, and blamed the agitation upon Protestant, and specifically Anglican, chagrin at the recent appointment of a Roman Catholic gentleman, Mr. John Kenny, as a Master.<sup>47</sup> The advocates of the Bible denied this and said that Mr. Pope was "unfair and ungenerous."<sup>48</sup> The only motive was to "make plain what is now obscure."<sup>49</sup> Yet, led by Pope and Duncan MacLean, the Assembly rejected by a vote of thirteen to six the proposals of Palmer and his associates<sup>50</sup> to interfere with the Central Academy. One reason was plain: the institution had never been in better condition. Since the arrival of the Head-Master, Mr. Edward R. Humphreys,<sup>51</sup> in early 1844, the attendance had more than doubled.<sup>52</sup> Until recently regarded as a luxury, it was now justifying its existence in the pioneer

47 Kenny joined the staff in November of 1844; he became Head-Master in mid-1856, and resigned in mid-1860, when Prince of Wales College replaced the Academy.

48 See Francis Longworth Jr. in summary Assembly debates in Islander, April 12, 1845.

49 See Palmer in ibid.; this claim was based on the theory that the intention of the framers of the Central Academy's Statute had not been to exclude the Bible, when they inserted the 'no-test' clause.

50 This group included Coles, who was still a Tory in 1845.

51 Mr. Humphreys was from Magdalen College, Cambridge, and remained on the Island until mid-1847. In addition to his professional duties, he wrote textbooks and made translations for the district schools, and was a popular lecturer at the Mechanics' Institute. For samples of the eulogistic praise showered upon him, see Royal Gazette, December 24, 1844; summary Assembly debates in Islander, April 19, 1845; and Huntley to Lord Stanley, March 12, 1845, C.O. 226, vol. 68, p. 27.

52 Ibid.

community, with the consequence that few wanted to tamper with the work of the new and successful Head-Master.<sup>53</sup>

The second incident occurred on the occasion of a bye-election two years later, and was more serious: on 1 March, at Belfast, a pitched battle took place between five or six hundred Scottish Protestants and Irish Roman Catholics.<sup>54</sup> Although less than half a dozen died — the weapons were sticks, — scores were injured, the Colony was shocked, and the result was that it never happened again. Each side seemed to have learned its lesson: while Catholics committed the first violence, the Protestants of the district were considered to have erred on the side of intolerance towards their neighbours.<sup>55</sup> Bitter words were exchanged many times in ensuing years, but the physical violence of 1847 was not repeated. One beneficial result was the passage of the Simultaneous Polling Act, which discouraged groups of ruffians from roving from poll to poll, by decreeing that elections throughout the Colony be held on the same day. Intimidation of voters became more subtle, and was usually of the nature of 'ledger influence,' 'Bishop's influence,' or 'rent-roll influence' — voting remained open, and with it the path to retribution.

53 One fruit of this early 'Bible Question' appears to have been the general abandonment of teaching various catechisms in mixed schools, although Bible-reading (from the Authorized and Douay Versions) was often maintained. See Assembly Journal, 1846, Appendix C (MacNeill, for all P.E.I.), p. 15; ibid., 1848, Appendix F, (John Reas's Report, for Kings County), p. 11; and ibid. (MacNeill, for Queens County), p. 114.

54 See ibid., 1847, Appendix I, for official papers relating to the Belfast Riot. A colourful account of it, probably gathered from the descendants of participants, is in H.J. Champion, Over on the Island (Toronto: 1939), pp. 110-112. The event had been immortalized by a poem of twelve eight-line stanzas, entitled "The Belfast Riot"; it appears to have been composed by one or more Scots.

55 The latter belief was reflected in the comments made in the Assembly, which was then in Session. See summary report of debates in Islander, March 20, 1847.

Yet in the long perspective of Prince Edward Island history to the 1850's, the tensions of 1845 were not typical, and the Belfast Riot was an electoral affray in which nationality and party may have been as important as religion. The surprising circumstance was the dearth of religious hostility, and much of this was due to the personality of Angus B. MacEachern,<sup>56</sup> the first Bishop of Charlottetown. A jovial and energetic man, he had friends of every religious persuasion, and for many years was the only priest in Prince Edward Island, Cape Breton, the Magdalen Islands, and parts of New Brunswick. He raised no fears of 'papal aggression,' and the British Government gave him an annual pension of £50 'for religious purposes,' from the time he was made Bishop in 1819.<sup>57</sup> When MacEachern opened St. Andrew's College, fifteen miles east of Charlottetown, in 1831, the local Assembly gave him a modest sum, which was continued until the College closed in the mid-1840's,<sup>58</sup> although the Bishop made no secret that its raison d'être

56 Born in Scotland and educated in Spain, Bishop MacEachern first came to the Island in 1790; he was titular Bishop of Rosen, 1819-29, and Bishop of Charlottetown, 1829-35. See John C. MacMillan, Early History of the Catholic Church in Prince Edward Island (Quebec: 1905), passim; Emmet Mullally, "A Sketch of Bishop A.B. MacEachern...", CCHAR (1945-46), pp. 71-106; and "J.B.", "Days of Bishop MacEachern, 1790-1836," Prince Edward Island Magazine, III (1901-02), 148-153. Roman Catholic Emancipation took place during his episcopate; see 11 Geo IV, c.7.

57 MacEachern to the Rev. Angus MacDonald, August 10, 1830. The original letter is in the Archives of the Scots College, Rome. A copy is in the possession of Fr. Francis Belger, who kindly brought it to this writer's attention. The pension terminated with MacEachern's death in 1835.

58 The amount varied between £50 and £75; the last grant was in 1845; see Assembly Journal, 1845, p. 43.

was to give young Roman Catholic Islanders preliminary training for the priesthood.<sup>59</sup>

The conflicts of the 1850's and the 1860's had legacies more potent than the agitation of 1845 and the Belfast Riot to draw upon: many on both sides were prisoners of their Old World pasts. This was especially true of two groups. The native-Scottish Presbyterians detected a Jesuit behind every bush in the young Colony, while the Irish-born Catholics saw the Island Orangemen not as local Scottish farmers belonging to a Protestant social group, but as Old Country nightriders. The distinction between Islanders and Old Countrymen was especially noticeable among the clergy. Although trained in Quebec or on the Continent, the priest of this period was usually an Island native, and, as the product of a pioneer society where cooperation was essential, basically pragmatic in his relations with all his fellow-colonists. His Protestant counterpart was not a Colonial, but a Britisher with the problems of Puseyism and the Great Disruption on his mind - a man who associated Catholicism with the traditional enemies of Britain, and an increasingly reactionary Papacy.<sup>60</sup>

59 See Father James Morrison, "The Roman Catholic Church," in MacKinnon and Warburton, eds., Past and Present, p. 287; also MacMillan, Early History of the Catholic Church in Prince Edward Island, pp. 269-270.

60 This paragraph and the generalizations contained within it are based upon a wide reading of miscellaneous sources, as there is no one work dealing directly with this aspect of Island social history. For a summary of the conservative movement within the Roman Catholic Church, I. infra, p. 239, p. 239, nn. 40, 41, and 43.

The entire English-speaking Protestant world was worried.<sup>61</sup> Protestants felt they were on the defensive. In Britain, the Oxford Movement, the conversion of Newman, the increase in public assistance to Maynooth Seminary, and the re-establishment of the Roman Catholic hierarchy in England by Pius IX led directly to a spate of books, pamphlets, lectures, and public meetings on the menace of 'Popery.' In 1851 Lord John Russell's Government replied with the Ecclesiastical Titles Bill, which forbade Roman Catholic clergymen to assume titles bearing the name of any territory or place within the British Isles. The response in the United States to Catholic immigration, Catholic schools, and Catholics in public office was the 'Know Nothing' or Nativist movement. In short, Catholicism seemed to be on the march everywhere in the world that was familiar to the Britisher. The only hope was in 'Protestant unity.' In British North America, counter-offensive missionary crusades were launched for the conversion of the 'benighted' Lower Canadians and Acadians, and in the Colonies as well as the Mother Country, Garibaldi was the supreme Protestant hero of the period. Many Canadian Protestants enthusiastically received his associate, the former Father Cavassi. Prince Edward Island was no exception: collections were taken up for the ex-priest Charles Chiniquy, colporteurs were hired to sell and give away the Bible in Catholic districts,<sup>62</sup> and,

61 See Neil C. Smith, "Religious Tensions in Pre-Confederation Politics," Canadian Journal of Theology, (1963), pp. 248-262.

62 See Twelfth Annual Report, Auxiliary Bible Society Records (P.E.I.), 1850; Twenty-second Annual Report, 1860; Minutes of the Free Church Presbytery (P.E.I.), January 26, May 11, and August 31, 1859; and Minutes of the Association Presbytery (P.E.I.), May 30, 1860.

when the Free and Secession Churches of Nova Scotia and the Island joined in 1860, "the spectre of the Roman Catholic church was acknowledged to be a most important reason for union."<sup>63</sup>

In this atmosphere, the militant Protestants of Prince Edward Island sought to reverse the trend they believed had begun with 'the Bishop's letter,' and continued through the dismissal of Stark, and the distortions of Coles, Whelan, and MacLean. On 1 June 1857 they scored what they felt to be their first victory: W.W. Lord, the newly-appointed Commissioner of Crown and Public Lands, was defeated by a political novice, James C. Pope,<sup>64</sup> when he appealed to his constituents for re-election upon the assumption of office. It is disputable just what role, if any, religious and educational issues played within the district. Edward Whelan insisted on election day that "truth and justice, liberty of conscience, civil liberty and progress"<sup>65</sup> were at stake, and one week later attributed the defeat "almost exclusively to the fanaticism and bigotry which have been aroused against Mr. Lord...because he did not support the prayer of the Bible Petition."<sup>66</sup>

63 John A. Johnston, Factors in the Formation of the Presbyterian Church in Canada, 1875, unpublished Ph.D. thesis, McGill University (1955), p. 17.

64 J.C. Pope was thirty-one years old, and a shipbuilder, proprietor, and farmer. He was the second son of Joseph Pope, who had returned to England in 1853, after serving in the Coles Government. The byelection was necessary under 11 Vic., c.29, which provided that all M.H.A.'s who accepted public offices of emolument had to appeal to their constituents for re-election.

65 Examiner, June 1, 1857.

66 Ibid., June 8, 1857; the Monitor, a new Tory paper, to which Palmer frequently contributed, denied this; the electoral card of Mr. Pope did not mention the Bible Question; indeed, MacLean professed to believe that the religious issue had helped Lord as much as it had hurt him. John Aldous, an M.L.C., became new Commissioner of Public Lands. See Monitor, June 27, 1857; Pope's electoral card in Protestant, May 27, 1857; Islander, June 19, 1857; and Minutes of the Executive Council, June 11, 1857.

Whatever the reasons for the election of Mr. Pope, ultra-Protestants saw no reason in mid-1857 to lower their guard. The Normal School and Academy were still closed to the Bible,<sup>67</sup> and on 12 July, the anniversary of the Battle of the Boyne, the Rev. Cephas Barker was jostled by a group of Irish Roman Catholics when 'street-preaching'. Despite the intercession of Premier Coles and W.W. Lord, Barker was ultimately forced to retreat.<sup>68</sup> For the Bible enthusiasts, it was indeed 'papal aggression' for a Protestant minister to be harassed while attempting to preach the Gospel. The bitterness of the conflict in the press increased in the late summer, when the Free Church Presbytery

In considering the state of the newspaper press of this Colony... expressed their highest disapprobation of the immoral and infidel tendency of much that is published in the Islander and Examiner newspapers, and resolved to recommend to their people to withdraw immediately all support from these papers and avail themselves of the valuable information weekly disseminated through the pages of the Protector.<sup>69</sup>

The Free Church was thoroughly militant; it had been the first Presbyterian denomination to declare itself on the Bible Question.<sup>70</sup> Its ire had been aroused by the Examiner's mocking references to "the Sanctified Press" and Duncan MacLean's recent public letters attacking the Editorial Committee

67 I. supra, pp.15, 22. It was now recognised by all that the Scriptures were in use in many district schools.

68 See accounts of the incident in Examiner, July 13, 1857, and Protector, July 15, 1857.

69 Minutes of the Free Church Presbytery (P.E.I.), August 25, 1857.

70 Ibid., January 29, 1857.

of the Protector. MacLean was claiming that Haviland the Elder had not drafted his amendment of 20 March, "but was made a convenience of to move the resolution, on the construction of which high legal talent had been employed."<sup>71</sup> The resolution of the Free Church Presbytery only served to drive Whelan and MacLean closer together on the Bible Question,<sup>72</sup> and, three months after its passage, MacLean announced that his subscription-list was still the largest on the Island.<sup>73</sup>

In the meantime, new 'dangers to Protestantism' arose: in September, the Roman Catholic Bishops of the Maritime Colonies, sitting in Halifax, issued a Synodical Letter which stigmatised the Protestant Bible as "a studied corruption of texts,"<sup>74</sup> and in October Bishop MacDonald founded Notre Dame Convent, a school for girls, in Charlottetown. The Convent provided the Protector with a convenient object for its abuse for several

71 Letter of MacLean to the Editorial Committee of the Protector, in Islander, August 14, 1857. Considering MacLean's declared interpretation of the meaning of the resolution, this assertion meant that he was accusing the 'real' author of desiring compulsion. Also see his letters in ibid., August 7 and 21, 1857. Apparently John Ings, the owner of the Islander, closed its editorial columns to MacLean in this instance. See MacLean's advertisement in Monitor, July 9, 1857.

72 See Islander, October 16, 1857, and Examiner, October 19, 1857.

73 Islander, November 20, 1857.

74 See the second and fifth resolutions passed by the Great Protestant Meeting of 1858, and the speech of the Rev. Thomas Duncan on that occasion, in Protector, February 24, 1858.



months, although the Monitor more accurately reflected Protestant opinion when it stated that

we fail to discover any serious cause for alarm on the part of the Protestant portion of the community... [or] any reason why Protestants... should find fault with their Roman Catholic fellow-subjects for endeavouring to raise the standard of female education, and thus extend the influence of the religious denomination to which they belong....<sup>75</sup>

Few wished to associate themselves with the hysterical statements of the Protector concerning the dangers involved in sending Protestant girls to 'the Nunnery.'

Nonetheless, the Central Academy and the Normal School were bastions which remained to be stormed, and in the early months of 1858, the evangelical Protestants prepared for the final Session of the Twentieth General Assembly of Prince Edward Island. On 13 January, the Protector published a draft petition which demanded that the Normal School make the Protestant Bible available at "convenient" times, and that the Academy have "moral training" every morning for those who desired it. Unanimously, the petition called for the appointment of teachers able and willing to comply with the projected changes,<sup>76</sup> and made no mention of establishing the Henny Version as an alternative.<sup>77</sup> Two weeks later, the Protestant Combination published a list of "Questions to be put to Candidates for seats in the Ensuing General Assembly of this Island."

<sup>75</sup> Monitor, October 29, 1857. This journal was Conservative in politics, and owned and partially edited by James Barrett Cooper, a former Sons of Temperance lecturer, born in London, England, in 1811; Whelan had welcomed it as "a gratuitous supply of wastepaper"; see Monitor, May 25, 1857.

<sup>76</sup> The obvious victim of any such purge of the staff of either institution would be Henny, the Roman Catholic Head-Master of the Central Academy.

<sup>77</sup> Protector, January 13, 1858.

Duncan MacLean, upon seeing the list, thought they "would be very proper if the election were held, not for the choice of a secular Candidate, but for a Protestant Clergyman."<sup>78</sup> He was close to the truth, as the four questions required, as well as support for the Bible and resistance to grants to Catholic institutions, acknowledgement of

the necessity for the great Reformation from Popery in the sixteenth century,...of the existence of a widespread combination of Popish agents for the resubjugation of the British Empire to the priestly domination of Rome,... [and resistance to] all Romish aggressions on the rights of others....<sup>79</sup>

On 19 February, another 'Great Protestant Meeting' was held in Charlottetown at Temperance Hall.<sup>80</sup> It lasted four hours, and was chaired by Col. Gray, who opened the meeting by pointedly referring to his own friendship with the late Bishop MacEachern, and deploring the use of offensive language. However, his admonition was less and less observed as the meeting wore on. Nine clergymen and one layman<sup>81</sup> addressed the meeting, which passed six resolutions without dissent.

<sup>78</sup> Islander, March 5, 1858.

<sup>79</sup> Protector, January 27, 1858. Whelan called the questions "The New Politico-Religious Catechism"; see Examiner, February 8, 1858.

<sup>80</sup> The following account of the proceedings is drawn from Protector, February 24 and March 3, 1858.

<sup>81</sup> They were largely the same men who had been present at the Temperance Hall meeting a year earlier, except that the Revs. Messrs. MacBurray and Lloyd had left the Island, and that Mr. Barker was absent. The two new clergymen present were the Revs. Messrs. Ingham Sutcliffe and Thomas Duncan, and the layman was Mr. Kenneth Henderson. MacLean claimed that there were thirty-three other Protestant clergymen on the Island, who did not attend, thus administering a "silent rebuke" to the Protestant Combination. See Islander, March 19, 1858.

Four of the six dealt with the expected problems: the Bible in the schools and Protestant unity. The remaining two are worthy of special notice:

That the present state of the Academy is not suited to the wants of this Island, and that a College established on proper principles would be welcomed by the people.... [and] That this meeting pledges itself to use its utmost influence to return sound Protestant and Bible-loving men at the ensuing General Election.<sup>82</sup>

Nobody spelled out the "proper principles" for the new college, and the Head-Master of the Academy, John Kenny, soon inquired,<sup>83</sup> but without success. The only response he received was the Protector's declaration that "The country is groaning under the Educational Dictatorship of Mr. Kenny. The Government could not do better than close the doors of the Academy at once.... It cannot and will not be longer borne."<sup>84</sup> His conclusion was that some of the clergymen were interested in becoming the professors of such an institution. Duncan MacLean agreed with Kenny, and professed to see at the bottom of the agitation a desire on the part of the ministers to be "paid from the public purse, for doing little or nothing."<sup>85</sup> Whether or not Kenny and MacLean were correct in these speculations, it is indicative of the Protestant mood that the Kirk Presbytery called on the Government "to render Bible instruction imperative in the higher Seminaries where teachers are prepared to become efficient instructors in the Common Schools."<sup>86</sup>

82 Protector, February 24, 1858.

83 See letters of Kenny in Examiner, March 22 and April 12, 1858, and in Protector, April 7, 1858.

84 Editorial in ibid., June 2, 1858.

85 Letter of MacLean to the Reverend Editors of the Protector, in Islander, May 28, 1858.

86 Minutes of the Kirk Presbytery (P.E.I.), February 24, 1858.

When, one month after the second Great Protestant Meeting, the House considered a new spate of Bible Petitions, the effect of the continued agitation was obvious: twice the Government, before an almost-full House,<sup>87</sup> defeated the Palmer-Haviland group by one vote. In the committee-of-the-whole, the casting vote of chairman William McGill was required, and on the floor of the House, Speaker Edward Thornton had to break the tie.<sup>88</sup> Two Liberals and one semi-independent Liberal,<sup>89</sup> all Protestants, voted with Palmer and the Havilands. In fact, the Opposition had come within a hair of passing Haviland the Elder's resolution, which proposed a legal guarantee for the use of the Bible in the Normal School and the Academy. Coles had had to delay the division by filibustering until Joseph Dingwell, a Protestant Liberal, finally appeared, "more dead than alive."<sup>90</sup> Had he not arrived, McGill and Thornton could never have cast their deciding votes from the chair.

The Bible Debate of 1858 had been more heated than that of the previous year. The 'Biblicans' believed that the tide was turning in their favour: Haviland the Elder asserted that although his resolution had lost in 1857, "a part of what was asked by it was subsequently granted;

87 Whelan alone was absent.

88 McGill was a Presbyterian and Thornton a Roman Catholic.

89 These were Donald Munro, Joseph Wightman, and Alexander Laird Sr. Although a Presbyterian, Wightman was Thornton's brother-in-law; both men had once been Tories.

90 Monitor, March 26, 1858; see also Examiner, March 22, 1858.

that is, that, in our District Schools, the Bible should be read daily when a majority of the parents of the children, attending any one of them, should require it."<sup>91</sup> Coles of course denied this: the policy concerning the district schools was the same as it always had been.<sup>92</sup> The Premier went on to announce that the Bible was now being read daily in the Normal School to the children of consenting parents, during the ten or fifteen minutes preceding the opening of classes;<sup>93</sup> as for the Central Academy, Coles claimed that changing its statutory basis in order to admit the Bible, after two decades of purely secular education, would mean "breaking faith with the people."<sup>94</sup>

Palmer was not satisfied: "allowing the Bible to be read, either before or after school, in the school-house, by any of the scholars who attend the school, is not allowing the Bible to be read in school."<sup>95</sup> Haviland the Younger declared this arrangement meant that the Bible "is positively excluded from the school [i.e. the Normal School]."<sup>96</sup> He went on to compare the Roman Catholics of the Island to the proverbial dog in the manger,<sup>97</sup> and blamed the current discontent on "the spirit

91 Assembly Debates, 1858, p. 61.

92 Ibid., pp. 65, 72.

93 Ibid., p. 66. Coles appears to have been mistaken on this point; there is no evidence to substantiate his assertion. V. supra, p. 11; also Minutes of the Executive Council, April 2 and May 7, 1857, and September 7, 1858.

94 Assembly Debates, 1858, p. 66.

95 Ibid., p. 69.

96 Ibid., p. 70.

97 Ibid.

of obstructive intolerance, which the Roman Catholic Bishop of this Island displayed in the letter which he addressed to the Board of Education."<sup>98</sup> This was going too far, and a veteran member of the Tory Party, James Yeo Sr., rebuked Haviland: he had known Bishop MacDonald for thirty years, and "he [the Bishop] is a man of truly liberal and enlightened mind; in no way disposed to the practice of intolerance."<sup>99</sup>

The Government, by affixing a lengthy declarative preamble to the  
<sup>100</sup>  
 resolution denying the prayer of the petitioners, thought they were

98 Ibid., p. 72.

99 Ibid., p. 77. Yeo, born in Devonshire and residing in western Prince County, was the leading merchant and shipbuilder on the Island. Probably the Colony's wealthiest resident, he once stated that he had paid almost £2000 in duties during the previous year; if this was true, he accounted for 4-5% of the Colony's revenue that year. When Yeo died in 1868, he reputedly left a fortune of £120,000 sterling. In 1858, he was seventy years old, and had spent nineteen years in the House. He lacked a formal education. See Legislative Council Debates, 1865, p. 26; and W.H. Pope to John A. MacDonald, September 23, 1873, John MacDonald Papers, vol. 119, p. 48253.

100 See Assembly Journal, 1858, pp. 48, 49. The resolution and the preamble are embodied in McGill's report, as chairman of the committee-of-the-whole, to the House; the resolution itself was the product of an amendment by Warburton to Haviland Sr.'s pre-Bible resolution; when on the floor of the House, Palmer attempted unsuccessfully to amend the McGill report (i.e. the Warburton-Haviland resolution) by means of the original Haviland resolution. An amendment submitted by Wightman, which would have expressly authorized the Douay and Protestant Bibles as alternatives (see ibid., p. 50), was also defeated 12-11, by virtue of the Speaker's casting vote. Coles rejected this solution as "impracticable", as it made no allowance for the teacher's conscience--the instructor of a mixed school would presumably be expected to read both versions, under Wightman's plan. See Assembly Debates, 1858, p. 79.

bringing about "the final disposition of the question, in such a way as will effectually discourage the overzealous in future, from getting up such an agitation."<sup>101</sup> This was wishful thinking. To the ultras, the twelve-to-eleven votes simply meant that Protestantism had been cheated again. The issue was still open: although in practice the question of Bible-reading had been narrowed down to the Academy and the Normal School, the Scriptures still lacked a statutory basis in the schools throughout the Island.

The intensity of feeling increased when Father Angus MacDonald requested an endowment for Saint Dunstan's College, of which he was Rector.<sup>102</sup> By a vote of fifteen-to-three,<sup>103</sup> the Assembly decided to give the College a one-year grant, although not to endow it. This was three days after the Bible Debate, and the amount agreed upon was seventy-five pounds,<sup>104</sup> which was to be spent for the purchase of apparatus, maps, and books. This did not please the Protestants of the Island, and

101 See Coles in ibid.

102 St. Dunstan's College, just outside Charlottetown, was opened by Bishop MacDonald on 17 January 1855; 'Father Angus,' as he was known, was ordained later that year, and became the first Rector, at the age of twenty-four. He was a graduate of the Central Academy, and had studied in Quebec. The number of pupils had varied thus far between eighteen and thirty-five; most appear to have been preparing for lay occupations; as at S.A.C., Protestants could be admitted, and were under no obligation to attend religious services. See S.A.C.'s Act of Incorporation: 6 Wm IV, c.23, s.8.

103 Assembly Journal, 1858, p. 40; Joseph Dingwell, Alexander Laird Sr., and James Muirhead were the dissenters.

104 Ibid., p. 76. The vote for this item of supply was 12-9.

in fact two counter-petitions were unanimously refused consideration by the House, as they contained "language reflecting offensively, on the religious principles of a large proportion of the inhabitants of this Island."<sup>105</sup>

At the election of 24 June 1858, the Tories contrasted the willingness to aid St. Dunstan's College with the refusal to legalise the Bible in the district schools, the alleged absence of the Scriptures from the Normal School, and the 'godlessness' of the Central Academy. The Coles Government was sustained by a mere sixteen-to-fourteen margin.<sup>106</sup> There were of course other issues at stake: the Liberals had been in office for seven years and had not solved the Land Question. Leasehold tenure still prevailed, and the electorate was frustrated. Furthermore, the Conservatives had succeeded in convincing many of the voters that the Liberal legislators were corrupted by 'office-holding.' The Tories advocated a return to the 'good old days' when public officials such as the Colonial Secretary and Attorney General were not elected politicians. Then, supposedly, political considerations would not distract civil servants from the performance of their duties, and politics itself would be purified- men would enter public life with the ideal of service, and not by reason of hunger for the emoluments of office. This scheme was called 'non-departmentalism,' and in a sense implied permanence of tenure.

<sup>105</sup> Ibid., p. 35

<sup>106</sup> This was the first time that the Island electorate had voted for a thirty-man House of Assembly. The chamber was not enlarged again until the election of 1966, although it absorbed the Legislative Council in 1893. See D.C. Harvey, "The Passing of the Second Chamber in Prince Edward Island," ARCHA (1922), pp. 22-31.



Its champions were the Islander, the Monitor, and the 'Political Alliance',<sup>107</sup> a group of Tories led by men not seeking elective office, and hence eligible for appointment. The Alliance cited Edward Whelan, who was allegedly enriching himself as Queen's Printer, as its prime example of the evils of 'departmentalism'.<sup>108</sup>

But the prime reason for the Liberals' decline in popularity was the Bible Question;<sup>109</sup> well before the polling day, the Protector had sounded the tocsin: "Let the only question be between Protestantism and Romanism."<sup>110</sup> On the Sunday before 24 June, several Protestant ministers expressed their disapproval of the Coles Government.<sup>111</sup> Whelan ridiculed the typical evangelical clergyman as rushing about "with a bible in one hand and a bludgeon in the other...and while breaking the bones of his victims with the one, pretend [ing] to be desirous of dealing the wounds of the spirit with the other."<sup>112</sup>

107 The 'General Declaration' and Constitution of the Political Alliance are enclosed in Daly to Lytton, March 30, 1859, C.O. 226, vol. 90, p. 104.

108 The 'nondepartmental' cry had been a potent factor in the defeat of Lord by J.C. Pope in June of 1857.

109 Among the people of this opinion was Dominick Daly, the first Roman Catholic Governor of the Island since the British Conquest; see Daly to Lytton, July 6, 1858, C.O. 226, vol. 89, p. 195.

110 Protector, May 5, 1858.

111 See Swabey to Daly, June 30, 1858, in C.O. 226, vol. 89, p. 213.

112 Examiner, June 7, 1858.

In spite of Whelan's wit and Coles's hard campaigning, the setback was considerable: Hensley, the Attorney General,<sup>113</sup> and Mooney, the Registrar of Deeds, lost, as did McGill,<sup>114</sup> whose casting vote had been decisive in the Bible Debate. Benjamin Davies, a prominent former Liberal Member, was defeated, and William E. Clark, the Collector of Customs, did not contest his seat. The Protestant Liberals had paid dearly for their refusal to join in the crusade for the Bible in the schools,<sup>115</sup> and the life of the Coles Government hung by a thread — two seats in the Assembly.

113 Hensley had resigned from the Legislative Council in order to gain a seat in the lower House; he did so with the understanding that should he lose, he could not be re-appointed M.L.C. See Daly to Stanley, June 26, 1858, C.O. 226, vol. 89, pp. 108-109.

114 McGill was not again elected to any office on the Island until 1873, although he contested several seats in the intervening years.

115 Of the five prominent Liberals listed above as not being elected, Mooney was the sole Catholic.

Note A. The position of the Bible Society in 1857. Stung in 1845 by the controversy and the loss of members which resulted from its outspoken stand, the Bible Society scrupulously avoided taking any public position when the question arose again in the 1850's. Nonetheless there can be no doubt that it extended its moral support to the pro-Bible group. On 30 March 1857, the Society took the unprecedented step of offering a Vice-Presidency to Col. John H. Gray, President of the Protestant Combination and chairman of the Great Protestant Meeting. There was considerable overlap of personnel between the various groups of ultra-Protestants. For example, Captain Orlebar of H.M. surveying vessel Gulnare was Treasurer of the Protestant Combination, presumed chairman of the Editorial Committee of the Protector, and a prominent member of the Bible Society. He also had been a leader in the 1845 agitation. See Eighth Annual Report, Auxiliary Bible Society Records (P.B.I.), 1846; Nineteenth Annual Report, ibid., 1857; the Rev. George Sutherland to Joseph Howe, (undated, and presumed April, 1857), Joseph Howe Papers, vol. 5, pp. 198-199; Swabey to Daly, June 30, 1858, in C.O. 226, vol. 89, pp. 202, 209; and Sleigh, Pine Forests and Hachmatack Clearings, pp. 175-176.

## Chapter Three

The pressure on the Liberal Government did not abate. When the Executive Council dismissed the Assistant to the Post Master General for voting against them on 24 June, and Thomas Owen Sr., his superior, refused to accept the new appointee, the Government felt obliged to dismiss Owen also.<sup>1</sup> Public reaction was immediate and hostile. Owen was a competent official, and his replacement by Benjamin Davies, a defeated Liberal candidate, was cited as evidence of the need for 'nondepartmentalism'<sup>2</sup> in order to remove political considerations from the choice of public officers. Religious considerations were also dragged into the controversy, as the incoming Assistant was the son of a newly-elected Roman Catholic Assemblyman, Francis Kelly.<sup>3</sup> Forgotten in the recriminations against the Government were Owen's life-long Toryism,<sup>4</sup> and the fact that he alone of the major officials of the period before Responsible Government had been left in office through the 1850's. In Charlottetown on 25 August the Tories held a 'Queen's County Indignation Meeting,' and a riot nearly resulted, as Irish Catholics and Scottish Presbyterians came in large numbers, each to vehemently uphold the one side or the other.

1 Minutes of the Executive Council, July 28 and August 3, 1858.

2 V. supra, pp. 51, 52.

3 The son's name was James Edmund Kelly, and he replaced Peter DesBrisay.

4 Thomas Owen Jr. was a newly-elected Conservative Assemblyman. Lt. Gov. Daly believed the Executive Council had been very patient with Owen the Elder, and thought that the Post Master General had provoked the Government, in the belief that he was irreplaceable. Daly had warned Owen of the possible consequences of his intransigence, but he "acted under the influence of pretended friends, who sought to embarrass the Government." Daly to Lytton, August 7, 1858, C.O. 226, vol. 89, p. 291; and Daly to Lytton, November 12, 1858, (confidential) ibid., p. 364.

When, in early September, the Government replaced John MacNeill,<sup>5</sup> the Acting School Visitor, with R.B. Irving, the Tories again reacted strongly: they charged that Irving, a journalist whom Edward Whelan usually employed, "has been a victim to intemperance of the worst order....it is for weeks, or months, or years on a stretch...in which all sense of propriety is obscured and reason for the time almost dethroned."<sup>6</sup> It was even asserted that the popular and able Mr. MacNeill had been "dismissed" because his brother, Finlay MacNeill, had contested the seat of Executive Councillor Joseph Wightman.<sup>7</sup> Despite Irving's drinking habits, the Tories were unsuccessful in their attempt to create a political issue, for the new appointment simply meant that MacNeill was able to return to his duties as Chief Clerk of the Assembly and Secretary to the Board of Education.<sup>8</sup>

Nevertheless, the continuing pressure and the close results of the recent election forced the Liberals to re-assess their policy on the Bible Question. On 7 September, the Coles Government reversed its decision of April 1857 concerning the use of the Bible in the Normal

5 MacNeill was appointed Acting School Visitor upon the discharge of Stark. He had been Visitor for the Colony from 1837 to 1847, and for Queens County from 1848 to 1853. Since 1854 he had been Secretary of the Board of Education, and for a number of years he was also Chief Clerk of the Assembly.

6 Islander, September 24, 1858; it was a fact that 'RBI' occasionally appeared in court on charges of drunken and disorderly conduct; see e.g. Hazard's Gazette, March 19, 1856.

7 Monitor, October 12, 1858.

8 John Kenny of the Central Academy had been Acting Secretary while MacNeill was Visitor.

School.<sup>9</sup> The Council authorized Bible-reading every morning upon opening the institution, "without note or comment - by those children whose parents desire the same."<sup>10</sup> This was a complete capitulation: the policy had been to allow Bible-reading on Fridays only, and after class. In fact, Mr. Monk, in a letter which suggested changes in this regard, had only recommended that the Scriptures be read three mornings a week.<sup>11</sup>

But when the Assembly met in February 1859, there was no peace for the Government. John Ramsay, a new Liberal Member, declared himself unable to conscientiously take the oath of office.<sup>12</sup> As a result, the Government majority was reduced to fifteen-to-fourteen. Complete deadlock ensued when each side refused to choose a Speaker from its own

9 V. supra, p. 22.

10 Minutes of the Executive Council, September 7, 1858. The Board soon adopted the "without note or comment" proviso as a formal regulation for the Normal School; ibid., December 7, 1858. The Executive Council was unsure whether the Bible should be read "for" or "by" the scholars, but eventually decided that either was acceptable; ibid., September 7 and December 7, 1858, and January 4, 1859.

11 Although the letter was dated 24 March 1858, five days after the Bible Debate of 1858, the Board apparently did not submit it to the Council until September, when it also re-submitted its rejected resolution of 1 April 1857 (v. supra, p. 22 and p. 22, n. 89). Monk wrote this letter at the request of several parents of children at the Normal School. He pointed out that children of non-consenting parents could go into the second room of the building.

12 Upon reflection, Ramsay had decided that he did not possess the £50 free or leasehold property which was necessary to sit as a Member. See 19 Vib, c. 21, s. 75. Both the Examiner (7 February) and the Islander (18 March) came to credit Ramsay with sincerity in this matter.

ranks. The Session lasted three days, and simply provided a forum for recriminations concerning the dismissal of Owen and DesBrisay (his Assistant), and the extent of clerical influence in the election of 1858.<sup>13</sup> Finally, being unable to sustain a Government in the House, Coles asked for and received a dissolution.<sup>14</sup> The angry Tories, who had hoped to be given the opportunity to form a new government, called the dissolution "the finishing stroke to the black catalogue of their misdeeds."<sup>15</sup>

At the election of 19 March 1859, the issues were much the same as they had been nine months earlier, except that the Conservatives now had momentum, and were closing in for the kill. The Liberals, dispirited by their unexpected reverse in the Assembly a month earlier, fielded only twenty-three candidates.<sup>16</sup> Although the Protector had died in early February,<sup>17</sup> the Bible Question remained, for the Scriptures were neither in the Academy nor legalized in the district schools. The concession of 7 September 1858 was too little and had come too late to

13 The most complete and reliable account of the three-day Session is in the Monitor, February 22 and March 1, 1859.

14 Minutes of the Executive Council, February 19, 1859; Assembly Journal, 1859, First Session, p. 8.

15 Monitor, February 22, 1859.

16 Ibid., March 15, 1859.

17 Its discontinuance was due to lack of support, which was in turn traceable to its extremism and its lack of first-rate editorial talent. In late 1858 it had warned that "unless the Protestants of this Island take a deeper interest in it, the Protector must of necessity be discontinued" (8 December). Few heeded this plea, and it died unlamented.

pacify militant Protestants. They did not trust the Coles Government on the Bible Question - it had waited too long to act, and its attitude was too reticent. In addition, had not the Roman Catholic thirst for office displaced two competent, Protestant public servants, Owen and DesBrisay? In vain, Whelan had attempted to silence the cry of 'Catholic domination' by pointing out that there were only seven Catholics in the thirty-man Assembly, and only three among the eighteen leading public officials.<sup>18</sup> Whelan's statistics made little impression - considerably less in fact than did his post-election remarks of June 1858, when he called upon Liberal Protestants and Roman Catholics to close ranks: "let the few traitors who aid the enemy be disowned and cast away from the common brotherhood, to be branded as spies by the masters whom they basely serve."<sup>19</sup> These words, uttered in the bitterness attendant upon the near-defeat of 24 June, became evidence of the need for 'Protestant unity,' especially when he added an appeal to the priesthood to "organize their forces in time for the next election."<sup>20</sup>

On polling day, the Conservatives gained an eighteen-to-twelve triumph, in which even Warburton was defeated. Within three weeks, Palmer formed his Government, whose leading members were Col. Gray,<sup>21</sup> James Yeo Sr.,

<sup>18</sup> Examiner, November 22, 1858.

<sup>19</sup> Ibid., June 28, 1858.

<sup>20</sup> Ibid., July 19, 1858.

<sup>21</sup> Col. Gray contested successfully both the 1858 and 1859 elections, although he was not an M.H.A. when he became President of the Protestant Combination in 1857.



T. Heath Haviland Jr.,<sup>22</sup> and J.C. Pope. True to the creed of the Political Alliance, it was a 'nondepartmental' government.<sup>23</sup> The main officers, though political friends of the administration, were not Members of either branch of the Legislature. Thomas Owen Sr. and DesBrisay were restored in the Post Office, John Ings of the Islander became Queen's Printer, and Francis Longworth Jr., no longer an Assemblyman, was appointed Collector of Customs.<sup>24</sup> The most

22 His father did not contest the 1858 and 1859 elections; he served as Mayor at Charlottetown (a Tory stronghold) until his death in 1867. Whelan wrote at that time that "He was the representative man of the old conservative party. Without brilliant talents, his judgment was of the highest order; he filled every situation in the colony to which a colonist could aspire, short of the gubernatorial chair" (Montreal Gazette, July 5, 1867; by 'Our Special Correspondent, dated June 28, 1867'). Henceforth, all references to 'T.H. Haviland' will mean the Mayor's son.

23 V. supra, p.51. Daly strongly disapproved of this new policy; before leaving P.E.I., he had his protest entered on the Council records, and sent a copy to the Colonial Office. See Minutes of the Executive Council, May 3, 1859; and Daly to Lytton, June 17, 1859 (unofficial), C.O. 226, vol. 91, pp. 309-314.

24 Minutes of the Executive Council, April 11, 1859. Only John Aldous, Commissioner of Public Lands, was retained from the Coles regime, and he agreed to resign from the Legislative Council. His post had originally been meant for Duncan MacLean, who died in early April, immediately after his appointment; see ibid., April 25, 1859.

politically-influential public official of the Palmer Government was William H. Pope,<sup>25</sup> who was not appointed until 23 June. Whelan remarked that "Mr. Pope is a man whom the Tories rather fear than respect....he has more cunning, more perseverance in pursuit of his object, (no matter what it is,) and more real talent than any other man in his party."<sup>26</sup>

Although the new Government swept 'Snatchers' out of office throughout the Colony, and immediately put their 'nondepartmental' principles into practice, they made haste slowly on the Bible Question. During the Session of April and May, 1859, they passed no legislation relating to religious training in the Central Academy, the Normal School, or the district schools. Had they desired to push through such legislation with a minimum of trouble, it would have been an opportune time, for the Liberals, after eight years in office, and deprived of Warburton, a veteran of twelve Sessions, were demoralized.

25 W.H. Pope, the eldest son of Joseph Pope, and thirty-four years of age, was by profession a barrister, educated in England, though an Island native. He was brilliant intellectually, and a correspondent and acquaintance of several of the most distinguished Englishmen of the period. But he had an unenviable reputation on the Island, for it was known that as the agent of Charles Worrell, an absentee proprietor, he had become a rich man, at the expense of his employer and the taxpayers of the Colony. See Note A, p. 70. He succeeded the late Duncan MacLean as editor of the Islander in the summer of 1859, and was himself an 'infidel.' His brother James, who was an Executive Councillor, was one year younger than he.

26 Examiner, April 11, 1859.

Only Coles could be expected to offer effective opposition to Government proposals, as Whelan was absent much of the time. Perhaps the Tories themselves preferred to legislate upon such a sensitive topic in calmer times, for they contented themselves with dismissing Irving<sup>27</sup> and Monk.<sup>28</sup> Indeed, the Government even refunded the six pounds, twelve shillings, and nine pence in duties, which had been levied on the instruments and books purchased by St. Dunstan's College with its seventy-five pound grant from 1858.<sup>29</sup>

But on 5 July 1859, a new religious-political journal, the Protestant and Evangelical Witness, was founded by David Laird.<sup>30</sup> Strongly supported

27 Minutes of the Executive Council, April 18, 1859. Irving had reported that no dissatisfaction existed in the common school districts concerning the arrangements for Bible-reading. Without mentioning St. Dunstan's by name, he also endorsed the principle of limited public assistance to denominational colleges; see Assembly Journal, 1859, Appendix O, pp. 5 and 7. He was replaced by John Arbuckle Sr., who had once been attached to the Academy, had been School Visitor for Prince County for 1849-53, and was currently a city school teacher.

28 Minutes of the Executive Council, May 9 and 24, and June 21, 1859. Mr. Monk appears to have furnished his detractors with a weapon by intemperate use of alcohol; see A.B. MacKensie in Legislative Council Debates, 1879, Second Session, p. 152. A Nova Scotian, Joseph H. Webster, took Monk's place in December of 1859; in the meantime John MacNeill and the Rev. George Sutherland alternated as his temporary replacement. With the advent of Mr. Webster, the position of Second Master was established at the Normal School, for the benefit of the Model School students attached to the institution.

29 Assembly Journal, 1859, Second Session, p. 59.

30 David Laird was twenty-six years of age, and although he had recently graduated in theology from the Presbyterian Seminary at Truro, Nova Scotia, he was never ordained. He was the second son of Alexander Laird Sr., a member of the Palmer Cabinet. See Frank MacKinnon, "David Laird of Prince Edward Island," DE (1947), pp. 405-421; however MacKinnon deals mostly with Laird's later career as Dominion Cabinet Minister and Governor of the North West Territories.

by the Presbyteries<sup>31</sup> of the Island, the new paper assured that the Bible issue would not be forgotten. The opening editorial promised "to give considerable space to articles...exposing the errors and noting the wiles and workings of popery."<sup>32</sup> This pledge was no sooner stated than fulfilled: the same first number carried the full report of a recent Synod of the Free Church of Nova Scotia. The statements made there by Island ministers, and reprinted by Laird, were amazing: the Rev. Neil MacKay said that the recent "anti-popish struggle....had almost been bloody."<sup>33</sup> The Rev. Alexander Sutherland maintained that the Catholic clergy had closed sixty-eight schools on the Island, that a fortuitous thunderstorm prevented a massacre in one area, and that Nunneries were "inconsistent with the natural rights of man,... inconsistent with virtue and purity, and...in direct contravention to the rights and liberties of the British subject."<sup>34</sup> Finally, in his 'Report on Popery,' the Rev. George Sutherland stated that "their [the priests'] aggressions had been nobly repelled... [and that] we are now beholding the last struggles of a system that feels its doom."<sup>35</sup>

31 See e.g. Minutes of the Secession Presbytery (P.E.I.), July 19, 1859; also letter of the Rev. George Sutherland, dated March 28, 1865, in Protestant, April 1, 1865.

32 Editorial in ibid., July 5, 1859.

33 Ibid.

34 Ibid.; he did not substantiate these assertions. Henceforth, all references to 'the Rev. Mr. Sutherland' will mean the Rev. George S., as the Rev. Alex S. left P.E.I. for N.S.

35 Ibid.

It is little wonder that the Roman Catholics of the Island had accused these men of undue interference in the last election. Two days after the polling, the Examiner had named four Presbyterian clergymen as active Tory campaigners.<sup>36</sup> Unfortunately, as the Islander and Monitor<sup>37</sup> pointed out, Whelan weakened his case by adopting a double standard and defending a priest's electioneering as doing "no more than he ought to have done long ago."<sup>38</sup> Whelan's ambiguity notwithstanding, there was apparently more political activity on the part of Protestant than Roman Catholic clergymen in the election of 1859.<sup>39</sup>

The outlook seemed bleak to the Roman Catholics of the Island. They were in the minority, and lines of religious division had hardened and become political: almost all the Liberal Protestants had been forced to seek mandates from Catholic constituencies, or, like Warburton, be defeated.<sup>40</sup> Certainly, no Catholic would think of contesting a Protestant district. As for the Conservatives, they formed an entirely Protestant Government, and, of their supporters, only James Yeo Sr. and

<sup>36</sup> Examiner, March 21, 1859. These were the Revs. Messrs. Alex. Sutherland, Alex MacKay, Alex Munro, and Donald MacNeill.

<sup>37</sup> Islander, April 1, 1859; and Monitor, March 23, 1859.

<sup>38</sup> Examiner, March 28, 1859; the priest was Father Francis MacDonald of Georgetown, the first graduate of S.A.C. to be ordained.

<sup>39</sup> Some of the ministers were not at all modest about the part the Protestant Combination had played in the Liberals' defeat; see letters of the Revs. Messrs. Lockhead and Murray as reprinted in ibid, May 30 and June 6, 1859.

<sup>40</sup> The exceptions were Wightman and George Sinclair.

and Thomas Owen Jr. represented constituencies with Catholic majorities., Prince Edward Island society was becoming two separate societies, and in the late 1850's this was symbolized by the rise of the Young Men's Christian Association and the Catholic Young Men's Literary Institute, and the corresponding decline of the 'mixed' Mechanics' Institute.

If the new Government presented a dark picture to Island Catholics, educational developments were equally discouraging: in the latter part of July, Palmer appointed the Revs. Messrs. Thomas Duncan and George Sutherland to the Board of Education.<sup>41</sup> Their addition meant that the Protestant clergy were now in a voting majority on the seven-man Board.<sup>42</sup> Each of the four ministers had been present at the Great Protestant Meeting of 1858, and their views on the Bible Question were well-known. In addition, the new School Visitor, John Arbuckle Sr., though baptized a Roman Catholic,<sup>43</sup> was familiar throughout the Island as a lecturer for the Sons of Temperance, and the growing Orange Association.

<sup>41</sup> Minutes of the Executive Council, July 23, 1859; Mr. Sutherland in particular was "a very ready and eloquent speaker both in the pulpit and on the platform"; see the Rev. John M. MacLeod, History of Presbyterianism on Prince Edward Island (Chicago: 1904), p. 139. In 1857 he had incurred the wrath of MacLean and Whelan for his role in the 'Free Kirk Resolution' (v. supra, p. 42). See letters of Sutherland in Protector, October 21 and 28, and November 11, 1857; editorial in Islander, October 16, 1857; letter of MacLean, in ibid., November 6, 1857; signed editorial of MacLean in ibid., November 13, 1857; and editorials in Examiner, November 2 and 16, 1857.

<sup>42</sup> The other two ministers were Messrs. Fitzgerald and Patterson. The two new clergymen displaced Liberal M.P.P.'s Francis Kelly and William Swabey, whose removal cleared the Board of elected politicians. The remaining three members (lay) were Hensley, Kenny, and MacNeill, the Secretary.

<sup>43</sup> See Patrick Walker in summary report of Legislative Council debates in Examiner, May 25, 1863.

The Protestant press gave the Catholics little reason to relax their fears. Immediately after the Session of 1859, the Monitor said that "the Academy will be the next place that must give way, and open its long-closed doors to the admission of the Book of God."<sup>44</sup> In August, David Laird declared his support for 'picturing out' and illustrating the moral lessons of the Bible in the Normal School.<sup>45</sup> This was the programme that Stark had advocated almost three years earlier: Laird would not be satisfied with a "without note or comment" provision.<sup>46</sup> Furthermore, he called for an end to the privileges allowed to the French Acadian schools: their teachers should be examined by the Board, not by the Catholic clergy, they should be required to attend the Normal School, and their curriculum should be purged of sectarian books.<sup>47</sup> In the face of this barrage, the Roman Catholic Church stated its position: it did not favor "a rash familiarity with the sacred scriptures, for the purpose of rancorous religious controversy."<sup>48</sup>

<sup>44</sup> Monitor, May 24, 1859.

<sup>45</sup> Protestant, August 20, 1859.

<sup>46</sup> Y. supra, p. 57 and p. 57, n. 10.

<sup>47</sup> Protestant, September 24, 1859. Permission for the Bishop or the local parish priest, rather than the Board, to examine the teacher, who was to be Roman Catholic, was granted by 15 Vic, c.13, s.39; a 'gentleman's agreement' existed concerning the use of books in French Acadian schools, and the exemption of Acadian teachers from attendance at the Normal School. See Minutes of the Executive Council, May 7, 1857; also Note F, pp. 161, 162. The first such attack on these privileges was in the Protector, February 3, 1858. In 1857, Gaelic-speaking Scots of Queen's County petitioned for similar privileges; see Assembly Journal, 1857, p. 33. Coles opposed it on the grounds that whereas most Scots could speak English, the Acadians could not; see Assembly Debates, 1857, p. 64. In 1831 a grant of £36 was given to the Acadian schools of the Island; this was the first public recognition of their existence. See S.N. Robertson, "The Public School System," in MacKinnon and Warburton, eds., Past and Present, p. 364a.

<sup>48</sup> Speech of Father Thomas Phelan at the C.Y.M.L.I., as reported in the Islander, December 9, 1859.

When the 'Bible Clause' was finally introduced into the Education Act in early 1860, its moderation surprised many Catholics and Protestants alike:

The introduction of the Bible, to be read in the Central Academy, and in all the public schools of this Island, of every grade, receiving support from the public Treasury, is hereby authorized, and the Teachers are hereby required to open the school on each school-day, with the reading of the sacred Scriptures by those children whose parents or guardians desire it, without comment, explanation, or remark thereupon by the Teachers; but no children shall be required to attend during such reading aforesaid, unless desired by their parents or guardians.<sup>49</sup>

Although the reading was to be done within regular hours, the safeguards to conscience were adequate, for the teacher was not required to read anything which he might not believe in, and no child could be compelled to attend. Presumably, the reading could be dispensed with entirely, wherever the parents did not insist, or even on days when the children of the insisting parents did not come to school.

The Government had been under pressure from the new Board to act vigorously in the field of education: they wanted the Acadian districts to come under the same regulations as the rest of the Island, and had sent a strongly-worded letter to the Legislature, a week after the Session began:

Instruction and training in morality, being an essential, and the highest part of Education; and the Bible-God's revealed will to man, irrespective of nation or language, - being the only infallible standard of morality, it is necessary and proper that all the youth of our land attending all our public schools, of every grade, should have their minds moulded and regulated by its sacred teachings, - therefore the Board recommend that the introduction of the Bible into all our public schools, of every grade and class receiving

<sup>49</sup> From the Protestant, May 5, 1860.



support from the Public Treasury, be authorized; and that the teachers be required to devote one half hour of the former part of each school day to moral training from the Bible - no sectarian teaching being allowed; and the teacher's remarks to be simply explanatory and practical; the children of Roman Catholics to be allowed to use their own version of the Bible, when preferred; and no children being compelled to receive these instructions, whose parents or guardians may object to the same.<sup>50</sup>

The differences between this scheme and the law as enacted were subtle but real: under the Board's plan, the teacher would be required to lead the Bible-reading, and devote a prescribed amount of time to it each day. Although disclaiming sectarianism<sup>51</sup> and compulsion, the Board would permit remarks on the text of the Bible, thus leaving the decision as to what was sectarian to the discretion of the teacher, and would place the responsibility for dissenting, or speaking out first, on those who did not desire Bible-reading. In other words, the new law put inertia, a powerful force in the rural districts of Prince Edward Island, on the side of those who did not desire Bible-reading in the schools, as the 'Bible Clause' implied that those who wished to read the Scriptures had first to express their desire to do so. The Board would have done the reverse, and thus have established Bible-reading as the norm, which could only be prevented by mass, indeed total, apathy.

Neither did the Government attempt to change the status quo in the remainder of the Island's educational system: the Normal School and the Acadian Schools<sup>52</sup> were left as they were. Moreover, the

50 MacNeill (Secretary of the Board) to the Legislature, February 23, 1860, Assembly Journal, 1860, Appendix J, p. 3.

51 "The Bible is not a sectarian book," was the cry of the evangelical Protestants.

52 See Note F, pp. 161, 162.

establishment of the Bible in the Central Academy was a dead letter, for the Academy itself was abolished at the end of June 1860, and no provision was made for religious instruction of any kind in its successor, the New Prince of Wales College.<sup>53</sup> "We think they have been overcautious,"<sup>54</sup> remarked the Protestant. But most Islanders, Protestants and Roman Catholics alike, were relieved- it was a face-saving settlement, which gave the Protestants the satisfaction of knowing they could claim the legal right to have the Scriptures read in the classroom, yet guarded against controversial interpretations and commentaries, thus keeping the Catholics in the public schools. The issue was buried.

Hence, the Bible Question, which had raged for more than three years, and led directly to the fall of the Liberal Government of Coles and Whelan, ended when Palmer gave existing arrangements the force of law. The only tangible difference between the situation in 1860 and that in 1856 was that Normal School children were allowed to read their Bibles, if they so wished. The social and political by-products of the Bible Question were as momentous as the change in the actual use of the Bible was trivial: by the end of 1859, the Islander could accurately state that "the two parties into which the people of this Island now are, and for some time to come will continue to be divided - [are] a Protestant and a Roman Catholic party."<sup>55</sup> This was the fruit of the Bible Question.

53 Y. infra, pp. 73-74.

54 Protestant, May 5, 1860

55 Islander, December 30, 1859.

Note A. W.H. Pope and the Worrell Estate. In 1854, after Coles and Whelan had passed their Land Purchase Act, Pope and another agent advised Worrell to sell, and, gaining his acquiescence, suppressed this news from the other trustees. Pope's associate then falsely informed Worrell that the Government no longer wished to buy the property. Since Worrell was impatient to be rid of his far-away estate, Pope himself bought it for £14,000, and within six months, re-sold it to the Government for £24,000. The Government had been persuaded to pay what they knew to be an exorbitant amount by Pope's thinly-veiled threats to take the tenantry on his new estate to court for payment of arrears. The estate consisted of five adjacent lots (38-42) in northern Kings County, and such a proceeding would have caused riots in 1854. In addition, Pope allegedly received £1,700 from Worrell for his 'services.' However, Pope's failure to transfer all of the promised 81,303 Acres to the Government led to their refusal to pay the final £3,000 of the purchase-price.

Although these charges were publicly made and generally credited, Pope never took the trouble to vigorously deny the essentials of the case against him. As he was capable and politically ambitious, it is probable that he would have contested them could he have done so successfully. In any case, W.H. Pope was marked throughout his career as a result of his part in the sale of the Worrell Estate. Although able and influential, he never became a popular figure. See Daly to Henry Labouchere (with enclosures), July 25, 1857, C.O. 226, vol. 88, pp. 252-269; and the relevant documents in ibid., pp. 447-465.

## Part II

**"The College Question and Religious Controversialism"**

1860 - 1863

(thesis)

At the end of 1859 Edward Whelan resolved "never, if possible, to take part in any religious disputes."<sup>1</sup> It was a wise New Year's resolution, but it was in vain. Nourished by quasi-religious incidents and issues, and the developing College Question, sectarian politics took root as never before in Prince Edward Island. The new Government was moderate in its approach to 'sensitive areas,' and even tried to effect a reconciliation with the Catholics of the Colony, by compromising on three religious-educational issues. These attempts miscarried, and with their failure went the religious peace of the Island, such as it was. The sensational denouement of the story of the negotiations concerning St. Dunstan's College and the insipient personal feud between the Rector of St. Dunstan's and the Colonial Secretary combined to alarm Island Protestants, engulf all other issues, and sweep the Government back into power. By early 1863, denominational animosity had reached a new peak.

1. Examiner, December 26, 1859.

## Chapter Four

Having placed the open Bible in the schools, Premier Palmer sought to draw attention away from religious and educational conflicts. Hence, in 1860 he appointed a distinguished Commission<sup>2</sup> to investigate the Land Question and to provide recommendations for its solution.<sup>3</sup> After the problems of leasehold tenure had occupied Islanders throughout most of that year, 'religion and education' re-asserted itself as the divisive motive power in Island society and politics. The Protestants had not lost their zeal, and the Roman Catholics were understandably bitter in the aftermath of the Bible Question. Thus in 1860 the College Question arose, and religious controversy became a feature in Island public life. The two phenomena were inextricably mixed, and one cannot be considered in isolation from the other. Part of the reason was the personality of the Rector of St. Dunstan's College, who throughout this period was the Catholic protagonist in such inflammable public discussions as studies of 'comparative morality' between Protestant and Catholic countries. It was but to be expected that in the virulently abusive replies to Fr. MacDonald, his College should

2. J.W. Ritchie and Joseph Howe of Nova Scotia were chosen by the proprietors and tenants, respectively, while John H. Gray (no relation to Col. Gray of the Executive Council) of New Brunswick was a nominee of the Crown.

3 The Award of the Commission, unfavorable to the proprietors, was disallowed by the Imperial Government. The Commissioners had placed the responsibility for the prolongation of the unsatisfactory leasehold system on the Home Government. See J.D. Gordon and D. Laird, Reporters, Abstract of the Proceedings before the Land Commissioners' Court.... (including the Report) (Charlottetown: 1862); also see Newcastle to Dundas, February 7, 1862 (Despatch No. 94), reproduced in Assembly Journal, 1862, Appendix O.

come under attack. But in fairness to Father Angus, it is unlikely that a College Question could have arisen in the Prince Edward Island of the early 1860's, possessing its recent memories of the Bible Question rhetoric, without resort to personal vendettas and insulting religious references.

When the Prince of Wales College Act<sup>4</sup> appeared before the Legislature on 1 May 1860, this tendency to confuse religious and educational questions manifested itself. The Act was innocuous: it raised the Central Academy to the status of a college, inaugurated new courses of instruction, and provided salaries capable of attracting two first-rate professors. In the matter of religion, the principles of the old Academy were to be followed, for no religious tests<sup>5</sup> or instruction of any kind were prescribed. As assurance to those who, like Kenny<sup>6</sup> and MacLean,<sup>7</sup> had suspected certain Protestant ministers of urging the

4 23 Vic., c.17. It was named in honour of Edward, the Prince of Wales, who visited the Colony in 1860.

5 The use of the word "tests" requires explanation: for the Scottish Roman Catholics it had a special significance, as they had immigrated to P.E.I. in the latter part of the eighteenth century, at a time when they were subject to harsh persecution. Indeed it was only in 1812 that Fr. Angus MacEachern was persuaded (by Bishop Plessis) to wear clerical garb. See MacMillan, Early History of the Catholic Church in Prince Edward Island, pp. 157-159, 165, 179-180.

6 Kenny left the Island on the closing of the Central Academy. When he departed, his seat on the Board of Education was offered to Bishop MacIntyre, who refused it, and then to his Vicar-General, the Very Reverend James MacDonald, who did the same, leaving the Board without a single Catholic member. Where Kenny went is not known. See the address of thirty-odd district teachers to Kenny, and his reply, in Islander, July 20, 1860.

7 V. supra, p.46.. The prime suspect was the Rev. George Sutherland, who in the press, on the platform, and at the Board had been a consistent advocate of the abolition of the Academy and its replacement by a college.

creation of the College in order to obtain sinecures, the Government inserted the following clause into the Act: "No clergyman, pastor or minister of any sect or denomination of Christians, having the spiritual charge of any parish or congregation, shall be eligible or be appointed professor in the said College."<sup>8</sup> In creating a collegiate institution which offered purely secular instruction, with no 'open Bible,' even after class, the 'Protestant Government' of Palmer and Col. Gray<sup>9</sup> did with impunity what a 'mixed' administration might have been incapable of.<sup>10</sup> Indeed, the Monitor, which less than a year earlier had called for the Bible in the Central Academy,<sup>11</sup> blurted out that "Prince of Wales College is, we are pleased to find, altogether devoted to secular learning....This, in a country where every man is free to worship God in the manner he considers right, is as it should be."<sup>12</sup> Nonetheless,

8 23 Vic., c.17, s.9. A similar provision was in the Central Academy's statute; see 10 Geo IV, c.9, s.5. The College was also to be governed like the old Academy, with a Board of Trustees appointed by the Executive Council, and independent of the Board of Education; see 23 Vic., c.17, s.2.

9 Gray was leader of the Government in the Assembly, since Palmer had gone to the Legislative Council, where the Liberals were strong.

10 The secularism of the College aroused no criticism in the Protestant-controlled press (i.e. the Islander, Monitor, Protestant, and Ross's Weekly).

11 V. supra, p. 66.

12 Monitor, May 16, 1860; this seeming inconsistency might be explained by reference to the diverse associate editors of J.B. Cooper: Palmer, Fitzgerald, and Donald Currie. The latter was twenty-six years old, and like David Laird a former Presbyterian theology student. He also taught at the Central Academy from February 1859 to June 1860.

Roman Catholics were suspicious: the Examiner referred to the College as "the new sectarian institution," claimed that the two professors "may be Ministers of any denomination except the Catholic," and called the Act "a measure eminently calculated to widen the breach between Catholics and Protestants."<sup>13</sup>

In the House, Francis Kelly moved that third reading of the Bill be postponed until next Session.<sup>14</sup> This failing, Kelly moved a second amendment, which was also in vain:

...whereas the Roman Catholic inhabitants of this Colony number nearly one half of its entire population, and who, for several years now past, have from their own resources, without any assistance from the Treasury erected and established a College in the Royalty of Charlottetown for the education of youth, which is now in full operation, and in which are taught the several courses and branches enumerated in this Act, with the exception of the German language, and in which any of the said inhabitants desirous of giving their children education and instruction in the said superior courses and branches of education have every

<sup>13</sup> Examiner, May 1, 1860.

<sup>14</sup> Assembly Journal, 1860, p. 186. In 1964, a strikingly similar incident occurred: final consideration of the 'Prince of Wales College Act, 1964', conferring degree-granting powers on the College, was deferred one year, pending the report of a royal commission which was to be appointed. However, there are some important dissimilarities between the two situations, for the postponement in 1964-65 was owing to a cabinet revolt in which an amendment to the P.W.C. Act (providing for the royal commission mentioned above) was introduced by Welfare and Labour Minister Wedge and opposed by Education Minister Dewar, and not to an opposition motion (the opposition also opposed the amendment); see Guardian, March 20, 1964. The alternative to the one-year pause was an immediate grant to St. Dunstan's University. The Act was proclaimed in 1965, after the commission's report, and S.D.U. got its grant in 1966. Hence, opposition to immediate implementation of the College Act was successful in 1964, and unsuccessful in 1860.



facility for so doing; and it is but just and reasonable that when the said Roman Catholic inhabitants will have to contribute nearly one half of the endowment provided under this Act, as well as the other expences (sic) attending the establishment of the Prince of Wales College, that the said Catholic College should, at least, have a similar provision for the professors therein: Be it therefore enacted, That for and during the continuance of this Act, there shall be paid to the professors of St. Dunstan's College the sum of three hundred pounds, in the way and manner prescribed aforesaid.<sup>15</sup>

This, said the Protestant, was "one of the coolest attempts on the part of the Romanists, to thrust their hands into the public chest of a Protestant country of which we have ever heard."<sup>16</sup> Kelly's motions were highly significant: he was demanding the public endowment of St. Dunstan's College as a right, on the basis of the existence of a parallel government institution which was doing similar work. The only possible precedent for such a claim had occurred in 1829, when Bishop MacEachern wrote to the Governor-in-Council soliciting a salary for a priest to establish a grammar school at St. Andrew's.<sup>17</sup> The decision to create the Central Academy had prompted the request, which

<sup>15</sup> Assembly Journal, 1860, p. 187. Kelly's motions, both supported by Coles, lost by votes of 10-5 and 12-4. Kelly, in complaining of the lack of Government support for S.D.C., forgot the grant of 1858.

<sup>16</sup> Protestant, May 5, 1860.

<sup>17</sup> See MacMillan, History of the Catholic Church in Prince Edward Island from 1835 to 1891, p. 269.

the relevant committee of the Assembly rejected, as the proposed public academy would be "quite free and open to the youth of all persuasions."<sup>18</sup> Although St. Andrew's College, once founded, did receive limited encouragement from the Colony,<sup>19</sup> the principle that public and denominational higher institutions had equal claims on the Treasury was never accepted.

At another level, the year 1860 represented a turning point in the evolution of the Roman Catholic attitude towards the public educational system of the Island. On 8 May Father Peter MacIntyre<sup>20</sup> succeeded Bishop MacDonald, who had long been ill. Bishop MacIntyre was a different man from his predecessor, whose personality was shy and retiring, and who had no pretensions to political power.<sup>21</sup> A highly successful parish priest at Tignish, the new Bishop was proud, energetic, and ultramontane<sup>22</sup> in his views. Alexander Mackenzie once described him as "a ponderous political personage,"<sup>23</sup> and if the adjective 'ponderous' is taken to mean 'weighty and unwieldy,' it is accurate, for although the new Bishop gathered much political power in his hands over the years, he did not learn to use it skilfully. He could control large numbers of votes effectively, but was unable to reap proportionate

18 See ibid., p. 270; apparently no Assembly Journal for 1829 survives.

19 Y. supra, p. 38 and p. 38, n. 58.

20 An Island native, he was born in 1818, educated at S.A.C., Le Petit Séminaire at St. Hyacinthe, and Le Grand Séminaire at Quebec, and had been fifteen years a priest when called to the episcopate. See Father Lawrence Landrigan, "Peter MacIntyre, Bishop of Charlottetown, Prince Edward Island," CCHAB (1953), pp. 81-92.

21 Duncan MacLean in one of his last editorials advised a priest "to interfere as little in elections as does his Lordship Bishop MacDonald"; Islander, April 8, 1859.

22 Y. infra, pp. 236-239.

23 Mackenzie to Richard Cartwright, September 4, 1873 (confidential) Cartwright

advantages. This was owing to a personality which was more suited to dealing with administrative inferiors than with political equals, and to a surprising political naïveté. Indeed, no orthodox an observer as Father John C. MacMillan wrote that

Bishop MacIntyre...was not a politician...in matters political he lacked judgment and stability. As a rule he saw only one side of a political issue...any other view-point was scarcely worthy of his consideration. When he had set his heart upon a certain object it was practically impossible to convince him that it could not be attained, for his policy was to look straight at the goal in lofty disregard of the many obstacles that might lie in the way. In matters in which the Church alone was concerned, and in which he had to deal only with members of his own flock, he was eminently successful. His strong personality and undoubted sense of right carried all before him; but when he descended to the political arena...the case was widely different, and it is therefore a moot question, whether a man less autocratic than he, might have achieved more beneficial results in the complicated cause of Catholic Education.<sup>24</sup>

If the bitterness of Island Roman Catholics created an unnecessary issue out of the Prince of Wales College Act, the bellicosity of the evangelical Protestants, and their allies, was equally responsible for the outbreak of religious polemics in late 1860. The 'infidel' William Pope, who had held back during the discussion of the College Act, and had merely wished the College well,<sup>25</sup> erupted in an editorial entitled "The Temporal Powers of the Pope." Dealing with the Italian

<sup>24</sup> MacMillan, History of the Catholic Church in Prince Edward Island from 1835 to 1891, p. 330. Fr. MacMillan had been a parish priest under Bishop MacIntyre in the late 1880's. For a less critical assessment of the Bishop's personality and political abilities, see Landrigan, "Peter MacIntyre," passim, but particularly pp. 88 and 92.

<sup>25</sup> Islander, June 22, 1860.

Question, the burden of Mr. Pope's argument was that Englishmen and their Colonists should sympathize with Garibaldi and the Italian Nationalists as they had with the Greeks in the time of Byron, for like the other birthplace of Western Civilization a generation earlier, they (the Italians) were locked in combat with tyranny. Although Pius IX had the "piety, learning, and gentleness of disposition" to exercise the spiritual functions of the Papacy, the days of Canossa were gone forever, and the world regarded the excommunication of King Victor Emmanuel II as "the cursings of an impotent old man,...saved from the fury of his revolted subjects only by the presence of a foreign force."<sup>26</sup>

Far removed as it may seem to have been from the issues of local politics, the Italian Question was a subject of warm discussion among Islanders, for the Roman Catholic population regarded Garibaldi and his Redshirts not as romantic patriot-heroes, but as mere brigands. Furthermore, they interpreted English sympathy with the Nationalists as a function of Protestant bigotry. After several weeks, Fr. Angus MacDonald protested to the Islander:<sup>27</sup> he reminded Pope that Catholics as well as Protestants paid his salary as Colonial Secretary, and accused him of disrespect for the religious beliefs of Catholics, hinting that Pope was playing upon Protestant prejudices in order to negate the unpopularity resulting from his sale of the Worrell Estate

<sup>26</sup> Ibid., December 7, 1860.

<sup>27</sup> Letter of Fr. Angus Macdonald, dated January 22, 1861, in ibid., February 1, 1861.

in 1854.<sup>28</sup> Mr. Pope retorted that he had not sneered at Catholic beliefs, but only at the "absurd" temporal claims of His Holiness. Pope further pointed out that Classical art surpassed Christian art, and advised Father Angus to give up the argument, for an infallible church would survive without his letters.<sup>29</sup> The Rector replied with a long letter which defended the temporal powers of the Papacy.<sup>30</sup> Mr. Pope took up the challenge "with no little reluctance," and said that while he had the "highest respect" for the reigning Bishop, he would continue to deny the "monstrous pretentions" of "the poor old Pope."<sup>31</sup>

The gulf was clearly widening between the two men, and others were becoming interested in the growing quarrel: on the morrow of Pope's last-quoted editorial, David Laird cheered him on with the profundity that "the Rector of St. Dunstan's College venerates the Pope as God."<sup>32</sup> The controversy dragged on for several more weeks, involving questions such as the Eucharist and the immutability of Church doctrines.<sup>33</sup>

28 See Note A, p.70.

29 Editorial in Islander, February 1, 1861.

30 Letter of MacDonald, dated February 2, 1861, in ibid., February 8, 1861.

31 Editorial in ibid.

32 Protestant, February 9, 1861.

33 See letters of MacDonald in Islander, February 22, March 8 and 22, 1861, and Pope's editorials in ibid., February 22 and March 8, 1861.

Pope ceased to reply after Father Angus called him "a disciple of Voltaire" and compared him to the Jews who crucified Christ.<sup>34</sup> The correspondence was significant in two senses: it marked the beginning of genuine religious disputation in the press (formerly one side would simply abuse or satirize the other, without receiving a direct answer), and it was the first incident in a long feud between the Colonial Secretary and the Rector of St. Dunstan's College.

Neither Father Angus nor W.H. Pope was a tranquil spirit. In his penchant for controversy, Father Angus was completely unlike Alexander Inglis, the first Principal of Prince of Wales College, whose only communication with the press in his eight years on the Island stated that "my motto is, and ever has been, to mind my own business, and nothing else."<sup>35</sup> While Inglis remained calm in the face of the Examiner's constant provocations, Father Angus had no such patience with Laird and Pope. As a result, Father Angus had little peace in the early 1860's, but Inglis was soon able to carry on his work in the absence of controversy.

<sup>34</sup> Letter of MacDonald, dated February 26, 1861, in ibid., March 8, 1861. Pope then said "The correspondence has become too personal to be interesting. The Priest has lost his temper - we our patience-...no good can possibly result from further discussion on the matter...."; see editorial in ibid.

<sup>35</sup> Letter of Inglis, dated December 15, 1862, in Examiner, December 15, 1862. Inglis, a Presbyterian Scot, was Principal from 1860 to 1868, when he returned to the Old Country. For the first two years, William Monk was his Second Professor. As a temporary appointment, he (Monk) received £200 per annum, and not the full £300 prescribed in 23 Vic., c. 17; Minutes of the Executive Council, December 22, 1860.

Pope, who did not turn the other cheek to Whelan and Father Angus, was the bête noire of the Liberals, as was the Rector for the militant Protestants. He came to be more hated than any other figure in Palmer's administration.<sup>36</sup> The reasons are not difficult to discern: his well-known role in 'the Worrell Job', his being Colonial Secretary while baiting almost one half of the tax-payers, and his 'infidelity.' But perhaps the most infuriating thing about W.H. Pope was his calm and deliberate manner in contemptuously dismissing those who differed with him, after disposing of their arguments. Utterly audacious and fearless, he was more literate and learned than Laird (and therefore more effective), he had a strong logical mind, and he was well aware of his own abilities.

In this atmosphere of resurging denominational bitterness, two military issues were sucked into the whirlpool of sectarian controversy: the McGill-Dundas affair, and the Volunteer Movement. William McGill, the Protestant Liberal who had cast the deciding vote in the Bible Debate of 1858, was a recognized military man, having commanded the 'Ragged Regiment' which garrisoned the Island when the Home Government withdrew its troops in the mid-1850's.<sup>37</sup> By 1860, there was a 'Volunteer

<sup>36</sup> Throughout early 1860, the Examiner published the attacks of 'Lector' on the Colonial Secretary.

<sup>37</sup> McGill was a Liberal Assemblyman at this time, and thus he and his Regiment came under Tory abuse; see e.g. Islander, October 26, 1855, in which MacLean castigated the Raggeds as "debauched."

Movement' afoot in Prince Edward Island; men were forming Companies of Volunteers to defend the native soil should war come with France.<sup>38</sup> The Colonial Office welcomed this sign of sturdy self-reliance on the part of their overseas yeomen, and agreed to provide arms on loan.

But in late 1860, dissension arose within the Irish Volunteer Company of Charlottetown, under a Captain Murphy. Although they were all Roman Catholics, about one half of the enlisted men wanted their present commander to be replaced by Major McGill, and, failing to obtain Lieutenant Governor Dundas's<sup>39</sup> assent, seceded from their Company. They then formed the 'Celtic Volunteers,' and asked McGill to command the new Company. He agreed, and on 30 October they asked Dundas for arms. The Governor refused, on two grounds: recognition of the new Company might be regarded as lending official approval to intra-company dissensions, and, he said, his supply of arms was insufficient.<sup>40</sup> To McGill and the sixty Celtic Volunteers, the latter reason was spurious, for Dundas had offered them arms should they individually enrol in other companies. Where, they asked, were these mysterious arms

<sup>38</sup> For a short account of the Volunteer Movement in Britain and overseas, see J.B. Pollard, Historical Sketch of...Prince Edward Island: Military and Civil (Charlottetown: 1898), pp. 103-104. In England some 220,000 enrolled. In P.E.I., there were 1,000 men enrolled in twenty companies; see the Rev. G. Sutherland, The Geography and History of Prince Edward Island (Charlottetown: 1861), p. 146; also W.A. Weeks, "Military History of Prince Edward Island," in MacKinnon and Warburton, eds., Past and Present, p. 334a.

<sup>39</sup> Dundas had been a Scottish M.P.; as Daly's successor, he arrived on the Island in June of 1859, and remained until October, 1868. By virtue of his office, he was Commander-in-Chief of the Volunteers and the Militia.

<sup>40</sup> Dundas to the Duke of Newcastle, March 15, 1861, C.O. 226, vol. 93, pp. 69-73. As Commander-in-Chief, Dundas had ordered a Court of Inquiry into the charges against Captain Murphy. The allegations were dismissed as "frivolous" by the Court.



which were available to them individually but not collectively? Dundas's answer was that his remaining supply of arms was only sufficient to furnish the three existing Charlottetown companies when they were complete. As it was now, they were incomplete, and the Lieutenant Governor, having pledged to arm their recruits, felt obliged to reserve his remaining weapons for these existing companies.

This did not satisfy McGill, who on 2 November 1860 chaired a public meeting which passed a resolution declaring Dundas's refusal to cooperate "unjust and impolitic."<sup>41</sup> Dundas then had his Adjutant General write to McGill asking if he had in fact chaired a meeting which passed a resolution reflecting upon him (the Governor) in his capacity as Commander-in-Chief. McGill, claiming that he had acted as a private citizen, declined to answer. Dundas then gave him the opportunity to retract, with the alternative of dismissal from the Militia. McGill refused to withdraw from the position which he had taken, and was stripped of his rank as Major.<sup>42</sup> McGill's response to this punitive action was to write an abusive public letter to the Governor,

<sup>41</sup> See letter of McGill, dated November 2, 1860, enclosing the resolutions passed at the meeting of that date, in Examiner, November 12, 1860.

<sup>42</sup> See Lt.Col. P.D. Stewart (Adjutant General), to McGill, November 29, 1860; McGill to Stewart, November 30, 1860; Stewart to McGill, November 30, 1860; McGill to Stewart, December 1, 1860; Stewart to McGill, December 17, 1860; and McGill to Stewart, December 21, 1860; all in ibid., January 7, 1861. Dundas told Newcastle that he had been obliged to do this, or face "an end to all discipline"; Dundas to Newcastle, March 15, 1861, C.O. 226, vol. 93, p. 71.

suggesting that Dundas had refused to recognize the Celtic Volunteers because he (McGill) was a Liberal, and his men were Roman Catholics. He supported the latter assertion by reference to Dundas's career as a Member of Parliament in Britain, where he had opposed the Maynooth Grant.<sup>43</sup> The Governor, at the insistence of his Executive Council, then struck the name of ex-Major McGill from the list of Justices of the Peace.<sup>44</sup>

The whole issue was unfortunate for Dundas, as it seemed to compromise his impartiality early in his tenure on the Island. He became a figure for abuse in Liberal circles, as was his predecessor, Dominick Daly, among Conservatives.<sup>45</sup> Three questions were raised as to the propriety of the disciplinary measures he took against McGill: firstly, it was alleged that the Major had chaired the 2 November meeting 'as a civilian.' This was not very convincing. But the other two charges did indicate that the Governor had exceeded his legal authority: he had power only to suspend insubordinate Militia officers, and not to discharge them,

43 McGill to Dundas, December 26, 1860, in Examiner, January 7, 1861. McGill accused the Governor of "folly, bigotry, and stupidity." The dismissal had been published in the Royal Gazette, December 24, 1860. For McGill's final volley, see his undated letter to Dundas in Examiner, March 4, 1861.

44 Dundas to Newcastle, March 15, 1861, C.O. 226, vol. 93, p. 72: "as the matter had now become one purely personal I should have preferred leaving the man alone. The views of my Council were, however, very decided, and they urged that a man, capable of addressing me in such language, was unfit to be a magistrate." See also the following letters, which were enclosed in the above Despatch: W.H. Pope to McGill, January 21, 1861; and McGill to W.H. Pope, January 23, 1861; in ibid., pp. 85-86.

45 See e.g. Islander, November 30, 1855.

except in extreme cases; and it was at least arguable that he had unduly restricted civilian freedom of speech by taking action against McGill after dismissing him as Major. In other words, the freedoms of all Justices of the Peace seemed imperilled by this precedent.<sup>46</sup>

There can be no doubt that the McGill-Dundas affair contributed powerfully to the political and religious furor raised during the Assembly debate on the Volunteer Question, for the feud went on into early 1861. The Government wished to give the modest sum of £400 to encourage the Volunteer Movement by providing qualified instructors. It is little more than the Liberals would have done had they remained in office after 1859.<sup>47</sup> But the 'Volunteer Grant' met with determined opposition from a Liberal Party that had bounced back from the dark days when Whelan had said that it "appears to be without a leader,

<sup>46</sup> Whelan resigned his magistracy on 11 February in protest against McGill's dismissal as a J.P.; Examiner, February 18, 1861. Nonetheless, the Colonial Office officials found no fault with Dundas's course of action. See marginal comments on Dundas to Newcastle, March 15, 1861, C.O. 226, vol. 93, p. 73; also Newcastle to Dundas, May 5, 1861, ibid., pp. 87-88.

<sup>47</sup> In 1855 the Coles Government gave £2,000 to the Patriotic Fund, which was established for the benefit of the widows and orphans of those soldiers who fell in the Crimean War; see Assembly Debates, 1855, p. 3; Whelan passionately defended the grant against the recalcitrant Robert Mooney; ibid., pp. 35-39.

has lost heart, and is thoroughly cowed."<sup>48</sup> Hensley, the former Attorney General, had won a byelection in eastern Kings County, and men such as Nicholas Conroy<sup>49</sup> of Tignish were beginning to render active support in the House to Coles and the sometimes-present Whelan.<sup>50</sup>

For several days the Volunteer Debate went on, generating more heat than light. The climax came when Coles lost his temper with James Pope, and challenged the Executive Councillor: "If you are so courageous I will meet you any day with sword or pistol."<sup>51</sup> The Volunteers eventually got their £400,<sup>52</sup> but not before many harsh words had crossed the floor. The Opposition attacked vigorously:

<sup>48</sup> Examiner, September 12, 1859.

<sup>49</sup> Conroy, forty-five years of age and a native Irishman, came to P.E.I. in 1835, and was first elected as a Tory in 1845. He was out of the Assembly between 1851 and 1859, although his brother, Dr. J.H. Conroy, was a Member for part of that time. Albeit his brother died an apostate in the 1850's, Nicholas Conroy was always a strong Catholic, and after the Session of 1858 he joined the Liberals over the Bible Question; his constituents were of Irish and French national origin. See W.H. Pope in Assembly Debates, 1863, p. 49; also v. infra, p. 99, n. 21.

<sup>50</sup> Whelan self-consciously remarked in the Assembly that "I seldom trouble the House with my remarks"; Assembly Debates, 1861, p. 16.

<sup>51</sup> Ibid., p. 121.

<sup>52</sup> Assembly Journal, 1861, pp. 124-129. Motions of Coles and Whelan opposing the principle of the grant were defeated, 19-5 and 18-5. Hensley's motion to reduce it to £300 was only defeated by a 13-11 vote.

Whelan, who was the most effective Liberal in this Debate, castigated the dismissal of McGill as "a most despotic and arbitrary deed."<sup>53</sup>

The whole Volunteer Movement was accused of an anti-Catholic and anti-tenant bias: Coles asserted that "The Volunteer companies are composed of Orangemen.... [and are] bound to turn out, if required, to assist the civil authorities."<sup>54</sup> The mere mention of Orangemen<sup>55</sup> was enough to ignite the native-Irish Catholic Members: Conroy said that "not one shilling shall I vote for such a purpose....nor have I any partiality for the red jacket."<sup>56</sup> Whelan declared the Orange organization "the most hellish which ever disgraced God's earth."<sup>57</sup>

Haviland was the most successful defender of the Government: he pointed out that the Liberal Government in 1855 had voted £500 to McGill's Ragged Regiment, and forced Coles to admit that the Raggads were to collect rents "if required."<sup>58</sup> As for the Volunteers, he stated that "the Bill [governing the twenty-five Volunteer companies] expressly declares that they shall only be bound to serve in case of actual invasion.

<sup>53</sup> Assembly Debates, 1861, p. 40.

<sup>54</sup> Ibid., p. 33.

<sup>55</sup> See Note A, pp. 92,93.

<sup>56</sup> Assembly Debates, 1861, p. 38.

<sup>57</sup> Ibid., p. 41.

<sup>58</sup> Ibid., pp. 110, 113.

I would have liked to have inserted the word rebellion, as it is in the Imperial Act, but I wished to avoid even the shadow of a suspicion."<sup>59</sup> Furthermore, a Volunteer could lay down his arms and resign on ten days' notice, except in time of invasion.<sup>60</sup> Coles, having already accused the Government of preparing a force that might be used to extract arrears in rent from the tenantry, then asked Haviland why there was no protection against riot and civil disturbance.<sup>61</sup> Haviland challenged the Leader of the Opposition to suggest an amendment to cover these contingencies, and Coles backed down in the face of Haviland's promise of support.<sup>62</sup>

More to the point, for our purposes, was Whelan's assertion that arming Volunteers was arming Orangemen. He alleged that simultaneous meetings of Volunteers and Orangemen were being held in some parts of the Island, and that "Orange Lodges have afforded more encouragement to this movement than has been derived from any other quarter."<sup>63</sup> The latter statement may have been true, for Orangeism rested upon a dual rationale: Protestantism and loyalty<sup>64</sup> - and taking up arms to guard against invasion was regarded as the best possible demonstration of

59 Ibid., p. 110.

60 See Haviland in ibid.; also 24 Vic., c. 11, s. 12.

61 Assembly Debates, 1861, p. 111.

62 Ibid.

63 Ibid., p. 41.

64 Hereward Senior, "The Character of Canadian Orangeism," in Thoughts from the Learned Societies of Canada 1961 (Toronto: 1962), p. 186.

loyalty. Thus, it is reasonable to expect that in the Prince Edward Island of this time the growth of Orangeism should coincide with that of Volunteerism. But however loyal the Orangemen were at heart, in 1861 they were in wide disrepute, on account of their embarrassment of the Prince of Wales and the Duke of Newcastle in the previous year at Kingston in Upper Canada.<sup>65</sup> Hence they were a 'safe' and popular target of criticism for extremism. But it will remain unknown how many Orangemen were armed by virtue of the Volunteer Movement, for no such records were kept.<sup>66</sup> In any case, there is no evidence that they ever used these arms to shoot at or threaten their Roman Catholic neighbours.<sup>67</sup> The Liberals had been over-vigilant, and at the end of the Volunteer Debate, Hensley said that he had "never listened to more disagreeable language."<sup>68</sup>

65 The Prince and the Duke did not land at Kingston, because the Orangemen had so arranged an Orange arch that they would be obliged to pass under it, should they enter the town from the water. The Orangemen refused to dismantle it, and the Duke advised the Prince not to implicitly recognize the Order by passing under their arch. The incident received wide publicity, and the enemies of Orangeism asserted this was proof that the Royal Family regarded the Order as 'illegal.' For a detailed account of the incident and its background, see D.G. Creighton, John A. Macdonald: The Young Politician (Toronto: 1952), pp. 301-303.

66 Dundas to Newcastle, January 17, 1863, G.O. 226, vol. 98, pp. 33-34.

67 In 1862, Coles and Kelly reversed their positions, and supported the grant, which passed by a vote of 21-3. See Assembly Journal, 1862, p. 99; also Coles in Assembly Debates, 1862, p. 100. In 1863, the \$4.00 grant passed "by a large majority," and with little discussion; see ibid., 1863, p. 72.

68 Ibid., 1861, p. 122. Fr. MacMillan commented that the Liberals "almost exhausted the vocabulary of recrimination...."; History of the Catholic Church in Prince Edward Island from 1835 to 1891, pp. 225-226.

By early 1861, a climate of ill-will was arising, despite the obvious desire of Palmer to play down the religious conflicts that had arisen during the Bible Question. A College Question remained in the wake of the foundation of the secular Prince of Wales College, and there was a new, vigorous Roman Catholic Bishop of Charlottetown, who would not be satisfied with the 'godless schools' of Bishop MacDonald's November 1856 letter.<sup>69</sup> The public argument over the temporal powers of the Pope, the McGill-Dundas affair, and the Volunteer Debate had shattered the relative calm after the solution of the Bible Question, and had set the tenor of what was to follow.

69 There is substantial evidence to suggest that Bishop MacDonald himself did not consider the district schools ideal; in January of 1857 he wrote that "They are conducted much in the same manner as the Irish National Schools. And tho' there be many well-founded objections to such schools, yet in the present state of our society it is difficult, if not impolitic to try to do away with them, when the poverty of our Inhabitants generally is taken into consideration." MacDonald to Cardinal Alexandre Bernabo, January 15, 1857, Bishop B.D. MacDonald Papers; Cardinal Bernabo was "le Préfet de la Congrégation de la Propagande," and had "la haute direction des missions étrangères en rapport avec le saint-siège." (Le Grand Dictionnaire, Tome Deuxième [ed. by Pierre LaRousse, 1865], p. 242.) Fr. James MacDonald, the public apologist for the Bishop (v. supra, p. 16), also stated that were separate schools possible, the Roman Catholic Church would much prefer them; see his letter, dated February 25, 1857, in Examiner, March 2, 1857.



## NOTE

Note A. Orangeism on Prince Edward Island prior to 1861. The first Orangemen of Prince Edward Island held meetings in 1849. On 6 May 1852 Lieutenant Governor Alexander Bannerman called upon "all Justices of the Peace, Ministers of Religion, and Civil Officers in this Colony, to use their influence in suppressing such Societies---which, were they allowed to increase, could not fail to disturb the public peace, by creating animosities and feuds where, happily, none at present exist." In point of fact, Bannerman also named the Ribbon Society as a group to be discountenanced. But the Governor's action had been prompted by the publication of the Orange oath in a letter to the Islander newspaper. Although the Proclamation had no statutory basis, and hence was not in any way enforceable in a court of law, Orangeism grew slowly on the Island until 1859, when three more lodges were formed, making a total of four. In 1860, the first large celebration of the Twelfth of July took place, and the Rev. George Sutherland, after preaching a sermon, recounted the story of the Battle of the Boyne. Whelan called this public display of Orangeism "insulting," "disgraceful," and "in exceeding bad taste," and Mr. Sutherland replied, with ample references to 'Popery' and 'the Romanists.'

From this time forward, the Orangemen were a subject of continuing controversy between Whelan and J.B. Cooper. In late 1860 and mid-1861, the Monitor rapidly became the Orange organ of the Island- of its staff, Cooper and Fitzgerald were prominent Brethren. Yet, as late as 19 April

1861, W.H. Pope stated that "we do not approve of Orange Lodges - we do not see the necessity for them - inasmuch as Protestant Alliances can be formed, without any secrecy - and the very name of an 'Orange Lodge' is calculated to awaken bitter feelings in the hearts of Catholics." To this, the Monitor replied that "the principles of Orangeism are part and parcel of the British Constitution, - they stand or fall together....the times do imperatively demand the formation of Protestant associations."

See the Rev. W.H. Spencer, "The Loyal Orange Association," in MacKinnon and Warburton, eds., Past and Present, pp. 228-233; speech of J.B. Cooper on 14 February 1867, in Sixth Annual Report, Grand Orange Lodge Records (P.E.I.), 1867, pp. 11-12; letter of "An Orangeman" in Islander, April 30, 1852; Coles in summary report of Assembly debates, ibid., May 14, 1852; letter of "An Orangeman" in Monitor, July 25, 1860; Examiner, July 31, 1860; Letter of the Rev. G. Sutherland in ibid., August 14, 1860; Islander, April 19, 1861; and Monitor, May 8, 1861.

## Chapter Five

The Conservatives of Prince Edward Island did not plunge remorselessly into another round of Catholic-baiting. While Gray, Coles, Conroy, Whelan, Haviland, and J.C. Pope hurled their epithets and dragged their personalities across the floor of the Assembly, more important matters were being discussed in private. Palmer, Gray, and W.H. Pope appear to have been anxious to effect a reconciliation with the Roman Catholic population of the Island. Originally, this relaxation of tensions was to take two forms: placing Catholics on the Board of Education,<sup>1</sup> and easing restrictions on the licensing of teachers. Having enlarged the Board in number from seven to nine,<sup>2</sup> the Government hoped to seize this opportunity to appoint two Roman Catholic members without displacing any Protestants.<sup>3</sup> The plan went awry when Palmer and Gray, in the expectation that either Mr. Sutherland or Mr. Patterson would retire, appointed the Rev. Thomas Duncan<sup>4</sup> to the Board. One of the former two gentlemen had pledged that he would give up his seat on

1 Y. supra, p.73, n.6.

2 24 Vic., c. 36, s. 2.

3 In 1862, Fr. Angus MacDonald claimed, without being contradicted, that securing Roman Catholic representation without removing Protestants already on the Board was the reason behind the expansion of its membership. During the discussion of the measure in the Legislative Council, Palmer did not mention this consideration. See Fr. Angus MacDonald to the Editor of Examiner, dated October 4, 1862, in Examiner, October 6, 1862; also summary report of Legislative Council debates in Monitor, June 5, 1861.

4 Y. supra, p.65. Apparently Duncan had resigned from the Board sometime between mid-1859 and early 1861, and the Government wished to re-appoint him.

the Board upon union of the Free and Secession Churches, but failed to fulfil the promise when the union did not include the Charlottetown Churches. Gray, faced with the task of telling his own minister, Mr. Duncan, that his appointment was cancelled, lost courage, and decided to honour the commitment.<sup>5</sup> Thus only one seat was left for the Catholics. To sweeten the pill, the Executive Council also offered the chairmanship of the Board to the Bishop, who refused both membership and presidency.<sup>6</sup>

The attempt to place Roman Catholics on the Board was reasonable, and so was the plan to liberalize the granting of licenses to teachers. The existing regulations obliged anyone desiring to teach in the district

5 Union took place in late 1860. Sutherland adhered to the Free Presbytery, and Patterson to the Secession. It is unclear which made the pledge, or whether the two promised that one of them should retire. There is no evidence to indicate whether Sutherland and Patterson were witting or unwitting as regards the consequences of their both remaining on the Board, or whether in fact they were cognizant of the purpose of its expansion. Duncan and Gray were members of the Kirk Presbytery, of which the latter was an elder. The details are in MacDonald to the Editor of Examiner, dated October 4, 1862, in Examiner, October 6, 1862; on the failure to unite the two Charlottetown congregations, see MacLeod, History of Presbyterianism on Prince Edward Island, p. 140; on the Union of 1860, see Johnston, Factors in the Formation of the Presbyterian Church in Canada, 1875, pp. 17-20.

6 Minutes of the Executive Council, April 2, 1861. It was not provided for by law that there should be a chairman of the Board, but it is safe to assume that someone presided over the meetings of that body. It is probable that the chairman was usually chosen by his fellow-members, but that the government, if it so wished (as it appears to have in this case), could dictate who was to preside. Several weeks later, when the Council found room for both Bishop MacIntyre and the Very Reverend James MacDonald, the seats were not accepted. As reconciliation had failed on three fronts by this time, the Bishop was not in a mood to try again; see ibid., May 16 and June 1, 1861.

schools of Prince Edward Island to spend five months at the Normal School to learn the Stowe System. In its letter of early 1860 to the Legislature,<sup>7</sup> the Board had suggested that qualified persons be exempted from attendance at the Normal School. With this in mind, Gray on 19 April 1861 moved that anyone holding a certificate from the Professor of a British or Colonial 'collegiate institute' be permitted to apply for a teaching license without attending Mr. Webster's classes.<sup>8</sup> A confused debate followed, in which Kelly moved that Prince of Wales, St. Dunstan's, and Notre Dame Convent be specifically named as exempted.<sup>9</sup> Gray seemed upset by this, and objected to the naming of denominational institutions.<sup>10</sup> He evidently would have preferred to have the Board specifically exempt St. Dunstan's and Notre Dame students, so that the 'Protestant Government' could not be accused of bestowing favours upon Roman Catholic seminaries. But Conroy and Kelly were adamant: St. Dunstan's must be named.<sup>11</sup> Coles pointed out for the second time in the debate that the raison d'être of the Normal School was the inculcation of uniform

7 John MacNeill (Secretary of the Board) to the Legislature, February 23, 1860, in Assembly Journal, 1860, Appendix J, pp. 1-3.

8 Assembly Debates, 1861, p. 126.

9 Ibid.; such certificates would have to have been obtained in the two years previous to the application to the Board for a license. Kelly seems to have been unaware of Gray's intentions; see MacDonald to the Editor of Examiner, dated October 4, 1862, in Examiner, October 6, 1862.

10 Assembly Debates, 1861, p. 126.

11 Ibid.

methods of teaching; if future teachers were allowed to follow other avenues into their profession, Mr. Webster's work would be in vain, and the School should be abolished.<sup>12</sup> Haviland agreed with Coles, as to the consequences of Kelly's amendment: if it were carried, "they may as well lock up the Normal School."<sup>13</sup> A vote was taken, and the amendment lost, fifteen to six.<sup>14</sup> Then it was moved and carried that Gray withdraw his resolution.<sup>15</sup>

What had happened to prompt Col. Gray to vote for the withdrawal of his own resolution? Apparently he had become alarmed when Kelly moved his amendment and Coles and Haviland pointed out the pitfalls in his scheme. The mentioning of St. Dunstan's and Notre Dame by name was probably decisive, for the Tories were anxious to carry out their reconciliation with the Roman Catholics as surreptitiously as possible. As Stanislaus Perry, a French Acadian Assemblyman, admitted, Kelly "went a little too far."<sup>16</sup> What did Kelly have in mind? It is likely that he was simply attempting to gain what Gray had succeeded in obtaining for Bible-reading in the schools: a specific legal guarantee. Hence the attitudes of Gray in the late 1850's and of Kelly in 1861 were founded upon the same determination — i.e. a desire not to leave Bible-reading in the schools or teacher-training at St. Dunstan's College to the mercy of administrators who were as adept at rescinding as giving favours.

12 Ibid., p. 127; the first time Coles pointed this out was in ibid., p. 126. But Coles did not oppose Kelly's amendment when it came to a vote; ibid., p. 127.

13 Ibid.

14 Ibid. Coles and five Roman Catholic M.H.A.'s were in the minority.

15 Ibid.

16 Ibid. Initially elected in 1854, Perry (or Poirier) was the first Acadian to sit in the Assembly.

When Gray withdrew his motion, Fr. Angus MacDonald immediately called upon Premier Palmer and charged him with "bad faith." He did this because he had understood that the exemption of St. Dunstan's graduates "was...to be the thin end of the wedge." Palmer "appeared surprised, and wrote a letter to the Colonel on the subject. He said that he would bring forward in the Council a resolution something similar to Colonel Gray's." Father Angus bore the letter to Gray, and the two had a "long conversation" on the Education Question, in the Colonial Secretary's office.<sup>17</sup> Gray agreed with the justice of Father Angus's complaint, and promised to support his demands after the next election, but advised him to wait until the results of the next Census were known, before publicly advocating his claims.<sup>18</sup> As for the motion in the Legislative Council, it appears to have been introduced by a Tory Member, Alexander Anderson, and defeated.<sup>19</sup>

17 MacDonald to the Editor of Examiner, dated October 4, 1862, in Examiner, October 6, 1862; there is no evidence that W.H. Pope, the Colonial Secretary, was present.

18 Ibid.; a Census was taken in 1861 and the results were known by July.

19 Ibid.; as it arose in the committee-of-the-whole, there is no record of it in the Legislative Council Journal, 1861. It received the support of Patrick Walker, the sole Catholic M.L.C.; see Walker in summary report of Legislative Council debates in Monitor, June 12, 1861.

Thus two attempts to bridge the gap between the Conservative Party and the Catholics of the Island miscarried. But about the same time that these plans were maturing, William Pope stumbled upon a third avenue towards reconciliation.<sup>20</sup> Some time in late March or early April 1861, a friend of the Bishop's, probably Conroy,<sup>21</sup> mentioned to Pope that MacIntyre was not visiting Government House because of an imagined slight during the visit of the Prince of Wales in 1860. Being among those anxious for the Government to improve its relations with the Bishop, the Colonial Secretary proceeded to the Episcopal Residence. Mr. Pope assured MacIntyre that the slight was entirely unintentional, and, as a result, the Bishop soon called upon Dundas, who returned the visit.<sup>22</sup>

W.H. Pope and Bishop MacIntyre apparently had several conversations about this time, and during one of them, His Lordship mentioned that a petition for the endowment of St. Dunstan's College was in preparation.

20 For the way in which this controversial sequence of events has been reconstructed, see Note A, pp. 150-152. It must have been in late March and early April, for Bishop MacIntyre left for Rome in early April; see MacMillan, History of the Catholic Church in Prince Edward Island from 1835 to 1891, p. 247.

21 Throughout his career, Conroy was a close political associate of the Bishop, whose niece he had married in 1851. He appears to have been the only Roman Catholic M.H.A. consulted by Mr. Pope or the Bishop on the subject of S.D.C. See Conroy in Assembly Debates, 1863, p. 42; letter of Conroy, dated June 3, 1863, in Monitor, June 11, 1863; the signed editorial of W.H. Pope in Islander, October 3, 1862; and the editorial in Examiner, May 11, 1863. There are no contemporary written sources for these negotiations.

22 The Bishop was a stickler for protocol, and in 1862 raised a similar question, as to whether he or the Chief Justice had formal precedence; see Dundas to Newcastle, February 13, 1862, C.O. 226, vol. 96, p. 44.



This surprised Pope, who had definite opinions on how the Bishop should proceed. But first he emphasized that "any views or opinions that he might express were to be taken as his individual opinions, and not regarded in any way or manner as indicating the views or opinions of the Government or its members"; this being understood, he stated that he personally would support the petition, on condition that St. Dunstan's were to become "no more a Roman Catholic College than the Prince of Wales College was a Protestant one."<sup>23</sup> His opinions being stated, his advice was this: for the Bishop to present a petition without warning would be an exercise in futility, as the 'Protestant Government' could not afford to let it appear that it was succumbing to Catholic pressure. Any acquiescence in Roman Catholic views on the subject of education would have to be graceful, and apparently spontaneous. For this concurrence, the Government must be cultivated, and it required time. If the Bishop would postpone presentation of his petition, Pope would approach the Government, its supporters, and the Protestant ministers, who would certainly have to be won over.<sup>24</sup>

<sup>23</sup> Signed editorial of W.H. Pope in Islander, October 3, 1862. This is a reasonable position for a non-Christian to assume, but is it so for a Roman Catholic Bishop? The Colonial Secretary was not suggesting that the Government could be persuaded to underwrite S.D.C. as a Catholic college, but rather that it become a secular institution. Bishop MacIntyre's failure to argue with W.H. Pope on the spot probably had a dual explanation: he was pleased to have found an influential and sympathetic liaison-man with the Palmer Government, and he likely believed that if he could obtain the grant, the conditions could be altered. Anyway, this insistence upon secularization of S.D.C. represented only William Pope's "individual opinion."

<sup>24</sup> Ibid.; see also Conroy in Assembly Debates, 1863, p. 42.

Pope, as a servant and non-member of the Government, reported this conversation to Palmer,<sup>25</sup> who, along with Gray, appears to have agreed in principle with the Colonial Secretary.<sup>26</sup> If successful, the plan would eliminate the incipient and potentially explosive 'College Question.' Nonetheless, the three men failed to convince their colleagues of the wisdom of their design. In speaking of his own role, W.H. Pope later said that

He did all he could, as is well known to many, but...his exertions were not successful. No member of the Government would consent to advocate the grant, unless every one of their supporters in the Assembly would declare in favour of it, and that the Protestant ministers would consent to it. The majority of them would not listen to such a thing, under any circumstances. The Speaker of the Assembly, and the majority of the members spoken to expressed themselves adverse to it....<sup>27</sup>

The explanations for Pope's failure were several: as well as the impossibility of obtaining the unanimity which the Executive Councillors wanted before making any commitment, there seems to have been no desire on the part of the Protestant clergy to cooperate. As might be expected,

<sup>25</sup> Pope reported the substance of each conversation with Bishop MacIntyre to the Premier; see signed editorial of Pope in Islander, October 3, 1862; Monitor, October 8, 1862; and MacDonald to the Editor of Examiner, dated October 4, 1862, in Examiner, October 6, 1862. £300 appears to have been the amount Pope was advocating; see Daniel Brennan to MacDonald, dated October 4, 1862, in ibid.

<sup>26</sup> Letter of Pope, undated, in Protestant, October 25, 1862; Bishop MacIntyre intervened personally with Palmer and Gray; see also the signed editorial of Pope in Islander, October 10, 1862.

<sup>27</sup> Ibid.

Mr. Fitzgerald and Mr. Sutherland were at the center of the ministers' opposition to the St. Dunstan's grant.<sup>28</sup> The reasons for the adamant refusal by the Government and their supporters, both lay and clerical, to agree to W.H. Pope's scheme were probably two-fold: in the first instance, they did not want to support two colleges instead of one, when they believed too much money was already being drained out of the Treasury by reason of the Free Education Act bequeathed to them by their Liberal predecessors;<sup>29</sup> and secondly, they feared that Bishop MacIntyre, once in possession of the grant, would attempt to alter its conditions.<sup>30</sup> Hence, said Pope, "all but two members [of the Palmer Government] were averse to such a grant."<sup>31</sup>

Mr. Pope then reported to the Bishop that

the question of a grant to a Roman Catholic institution of any kind would not only not meet the support, but would be met by the most decided opposition, of a majority of the Government, of the members of the House of Assembly, and of the Protestant constituencies.<sup>32</sup>

28 See Examiner, October 20, 1862, which cites a letter written by Conroy (which was never published in its entirety); also MacDonald to the Editor of Examiner, dated October 4, 1862, in ibid., October 6, 1862. Conroy and MacDonald cited William Pope, Governor Dundas, and Premier Palmer as mentioning these clergymen. Neither these gentlemen nor Fitzgerald nor Sutherland denied these allegations, directly or indirectly.

29<sup>3</sup>In 1863 the Conservative Government illustrated this belief, and in the name of economy, forced districts to again pay a portion of their teachers' salaries, thus abolishing 'free education' as established by Coles and Whelan. V. infra, p. 144.

30 William Pope makes this point in his undated letter in Protestant, October 2, 1862.

31 Ibid.; the two, of course, were Palmer and Gray.

32 Signed editorial of W.H. Pope in Islander, October 3, 1862.

Thus the Bishop should not expect the Government to consider favorably any request for financial support of any of his educational projects.

Upon this statement,

His Lordship exhibited much warmth of temper, walked across the room, and declared, with emotion, that he had no hesitation in stating that, in consequence of the gross injustice done to Catholics he would, at the next election, use his utmost influence to overturn the present party. That it had been said that Catholics, at the last election, were united, but at the next election, a difference would be seen. He would do the utmost in his power to defeat the Government.<sup>33</sup>

Pope then reminded the Bishop that this course of action would only serve to unite the Protestant majority of the Island.<sup>34</sup> Whatever the Bishop thought of this political advice, he was apparently not angry with the Colonial Secretary, for when Pope was leaving, he "shook him by the hand,...and declared 'that he would never forget his kindness.'"<sup>35</sup>

Thus failed the attempt to mollify Roman Catholic opposition to the Palmer regime by finding a compromise solution to the College Question. Unlike the miscarriages concerning Catholic membership on the Board of Education, and the licensing of teachers, this effort to obtain a grant for St. Dunstan's represented no settled policy on the part of the Government. W.H. Pope was not a member of the cabinet, and only Palmer and Gray,

<sup>33</sup> Ibid. This of course was also reported by Pope to Palmer; ibid. Bishop MacIntyre never denied having made this statement, although invited several times by Pope to do so; see e.g. Pope's undated letter in Protestant, October 25, 1862.

<sup>34</sup> Signed editorial of Pope in Islander, October 3, 1862.

<sup>35</sup> Signed editorial of Pope in ibid., October 10, 1862.

among the Executive Councillors, appear to have exhibited any sympathy with the idea. Yet in the broader perspective it deserves to be lumped with the failures concerning the Board and the Normal School, for the three sequences of events represent attempts by leading Catholics and leading Tories to arrive at a modus vivendi. Whether owing to inherent weaknesses in the plans, to chance, or to ill fortune, each came to naught, and the fruit of the three was hostility, not accord. Each side was left believing it had been mistaken in giving the other the benefit of the doubt.

These failures to effect an accommodation represent a watershed in Catholic-Protestant relations in this period, for from early 1861 onwards there is a virtual linear progression: verbal violence and personal feuds increased in intensity, almost without cessation, through early 1863. There was a brief and spasmodic lingering over the secret negotiations between the Government and the Roman Catholic hierarchy. On 15 May, the Monitor, under the heading "Expediency versus Principle", revealed that a proposal to endow St. Dunstan's College had been made to the Palmer Government, "But they stood the trial under no ordinary temptation,--for the reward of the betrayal was political support at the coming election."<sup>36</sup> Whelan, as a Catholic and a Liberal, indignantly replied in an editorial entitled "Catholic Support and its Price": "they [the Roman Catholics] have asked nothing from the present Government." He belittled any overtures that had been made as "delusive promises" by "one of the head officials" to "a certain high dignitary of the Catholic Church in this community."<sup>37</sup> W.H. Pope simply denied that any "delusive promises" had been made, and remarked that "no party the support of which can be

<sup>36</sup> Monitor, May 15, 1861.

<sup>37</sup> Examiner, May 20, 1861.

purchased, can be relied upon."<sup>38</sup> To this the Monitor added that "any alliance with Romish priests or their agents must be the most hollow and uncertain possible."<sup>39</sup> But the story did not come out, and the negotiations were allowed to lapse as a topic for public discussion.<sup>40</sup>

By this time, Bishop MacIntyre and his Vicar-General had refused the belated offer of two seats on the Board of Education.<sup>41</sup> W.H. Pope had also changed his mind about the direction that relations between the Conservatives and the Roman Catholic population should take. The Tories, it seemed, would have to rely upon a purely Protestant appeal, if they were to retain the support of a majority of the Island people. He expressed this change of attitude in no uncertain terms in the summer of 1861, in a series of letters "To the Protestants of Prince Edward Island." His political message was that "as parties now stand, ANY GOVERNMENT OTHER THAN AN EXCLUSIVELY PROTESTANT ONE, MUST OF

<sup>38</sup> Islander, June 7, 1861.

<sup>39</sup> Monitor, June 19, 1861.

<sup>40</sup> Whelan confined himself to denying the insinuations of Pope and Cooper that the hierarchy's political support was for sale; see Examiner, June 10 and 24, 1861.

<sup>41</sup> Minutes of the Executive Council, May 16 and June 1, 1861.

NECESSITY BE VIRTUALLY A ROMAN CATHOLIC ONE."<sup>42</sup> As the letters went on, they became abusive, referring to the Real Presence as "a God made of a little flour and water," and warning Protestants that the Council of Trent had pronounced non-believers in the Eucharist "accursed."<sup>43</sup>

'Pope's Epistles against the Romans,' as Edward Whelan labelled the letters, set the tone for, and provided the theme of the Protestant journals for the next eighteen months. Catholic doctrines and 'Catholic Ascendancy' became constant fare. David Laird, of course, was not to be outdone. With characteristic verve, he began a long public dispute by his editorial of 30 November, concerning the "Index Prohibitory." The article opened with the statement that "there is no charge more confidently preferred against the Roman Catholic Church than that she has exerted her influence to repress freedom of thought, and the expression of private opinion...." Laird went on to discuss the history and contents

<sup>42</sup> Letter of W.H. Pope "To the Protestants of Prince Edward Island" in Islander, July 19, 1861; the other three letters are in ibid., July 26, August 2 and 9, 1861. Pope later stated that he had written the letters in the belief that Coles and Whelan were already claiming to have the Catholic population absolutely united behind the Liberal Party; see signed editorial of Pope in ibid., October 3, 1862. There is little doubt that the first letter in the series was also written in response to a public letter of Coles, dated July 13, 1861, which had charged the three Government newspapers with making "the most vile and false statements" about the connection between the Liberal Party and the Roman Catholics of the Island; see Examiner, July 15, 1861.

<sup>43</sup> Letter of Pope "To the Protestants of Prince Edward Island," in Islander, July 26, 1861; the first letter had abstained from ridicule or abuse of Catholic institutions and beliefs, and Pope had even compared the zeal and devotion of Bishop MacIntyre to that of Ignatius Loyola; a possible reason for this outburst may have been a remark in Whelan's reply to the first letter: he had said that W.H. Pope was as much a "Mohametan" as a Wesleyan; Examiner, July 22, 1861.

of the Index Librorum Prohibitorum, and taunted St. Dunstan's College and the Catholic Young Men's Literary Institute with the existence of these limitations upon their libraries.<sup>44</sup> Of course this brought Fr. Angus MacDonald to the fore: he said that the Index was not in force in Prince Edward Island and that his College contained many of the books Laird had listed on 30 November. He closed by citing Voltaire approvingly concerning the necessity for curbs upon the press.<sup>45</sup>

The dispute went on through December of 1861 and the first half of 1862. Laird continued to write editorials in support of his views, and accepted the assistance of abusive anonymous correspondents. At the same time, he usually delayed publication of Father Angus's replies, with the result that the Rector was usually confined to the columns of the Examiner,<sup>46</sup> where he wrote letters in defense of the Church's role in education, and in praise of the intellectual achievements of the Church.<sup>47</sup> In these letters, Father Angus eschewed abuse, and concentrated upon the subject under discussion. But the anonymous writers in the Protestant were not so fastidious: they excoriated indulgences as licenses to sin,

<sup>44</sup> Protestant, November 30, 1861.

<sup>45</sup> Letter of MacDonald, dated December 10, 1861, in Examiner, December 16, 1861.

<sup>46</sup> The reason Laird gave for his ultimate refusal to publish Father Angus's replies was that Whelan was printing them before he (Laird) had time to do so. Furthermore, Whelan was only publishing one side of the controversy; if the Examiner would reprint the Protestant's editorials or the contributions of "Onlooker," Laird would reciprocate; see Protestant, February 8, 1862.

<sup>47</sup> See letters of MacDonald in Examiner, January 13 and 27, and February 3, 1862.



sneered at the Real Presence, and denounced the 'tyranny of priests.'<sup>48</sup> Finally Father Angus lost his temper: he accused W.H. Pope, who had abstained from comment in the Islander, of writing under noms de plume in the Protestant.<sup>49</sup> The letters were obviously written "by some low rabid character who holds the same position in the literary world, that a rowdy, blackleg, or pimp does in the social one."<sup>50</sup>

This stung Pope into action, and he wrote an open letter to Father Angus: "without enlightening you as to whether I did or did not write the contributions signed 'Onlooker,' 'A Protestant,' and 'An Orangeman,' I beg to inform you that I am quite willing to adopt all that has been written over those signatures." He went on to quote St. Jerome to show that Roman Catholicism and ignorance were natural concomitants, cited Baronius to prove that the early Popes were 'harlot-chosen,' and finally asked whether, like the augurs of ancient Rome, Father Angus laughed at the credulity of those who believed that "a little wheaten flour" could become God.<sup>51</sup> In the same number, "A Protestant," who in reality was

48 See "Onlooker," "An Orangeman," and "A Protestant" in Protestant, January 4, 18, and 25, February 1 and 8, 1862.

49 Letter of MacDonald, dated February 8, 1862, in Examiner, February 17, 1862. Father Angus was correct: Pope at a later date admitted that he had written under the pseudonym of "A Protestant." See open letter of Pope to MacDonald, dated October 3, 1862, in Protestant, October 4, 1862.

50 Letter of MacDonald, dated February 12, 1862, in Examiner, February 24, 1862.

51 Open letter of Pope to MacDonald, dated February 28, 1862, in Protestant, March 1, 1862. Pope had this letter printed in pamphlet form and distributed among the Protestant population. See MacDonald to Dundas, dated June 18, 1862, in Examiner, July 14, 1862; it is enclosed in this form in the Despatch of Dundas to Newcastle, July 23, 1862, C.O. 226, vol. 96, pp. 275-279. It appears that Ings had closed his columns to Pope's more extreme utterances.

W.H. Pope, submitted a price-list of indulgences and dispensations, dated 1514.<sup>52</sup> This was quenching the fire by adding more fuel. But then Pope appears to have retired from the quarrel, leaving Laird to take up the slack. The editor of the Protestant did not lack enthusiasm, and in an editorial entitled "To the Rector of St. Dunstan's," he declared that "we are prepared, when the proper time comes, to show that the fundamental principles of your Church are false."<sup>53</sup> Father Angus, for his part, regained his composure, and resumed his series of letters on "Education and the Church."<sup>54</sup>

The controversy, which had begun in the previous November, appeared by early June of 1862 to have burned itself out. The frantic editorials of Laird and essays of Father Angus no longer filled the columns of the Protestant and the Examiner. But the Rector had simply added a new dimension to it: he was not satisfied that the Colonial Secretary, while abusing or having abused Roman Catholics through the public press, should remain in receipt of a salary which was partially paid by them.

52 Letter of "A Protestant," dated February 20, 1862, in Protestant, March 1, 1862.

53 Ibid., March 8, 1862.

54 The series continued to the end of March. Then Father Angus wrote a series on the 'dreadful ignorance' and 'moral degradation' in England, Sweden, and Prussia. This continued through the end of May. Laird's editorials "To the Rector of St. Dunstan's" did not cease until after 7 June 1862.

Although Pope had been silent since 1 March, Father Angus on 5 June wrote to Governor Dundas, and stated that

When his [W.H. Pope's] letter of the 28th of February last appeared, I thought that the Executive would...have immediately dismissed him from office, for having so grossly insulted the entire Catholic population, especially by writing in the most offensive, contemptuous and scoffing manner of the most hallowed mysteries of the Catholic religion....<sup>55</sup>

Thus, on the assumption that Dundas was not cognizant of Pope's writings,<sup>56</sup>

Father Angus reproduced the letter dated 28 February 1862, and extracts from those anonymous letters whose views Pope had said he would adopt.

Finally, he warned that

should Your Excellency say that it is not in your power to dismiss Mr. Pope on account of his repeated insults to the Catholics of this Island,...I shall consider it my duty to lay the matter before His Grace the Duke of Newcastle, Her Majesty's Colonial Minister, to whom I shall send a copy of this letter and of Your Excellency's reply thereto....<sup>57</sup>

Father Angus had left the Governor with little room to bring about a graceful compromise, and Dundas replied on 11 June that

I regret that you have thought proper to adopt towards myself a tone so dictatorial as virtually to prescribe to me a specific course of action, acquainting me, at the same time, that my declining to comply with your requirement will, in a manner form a ground of complaint against myself and be brought, by you, under the notice of the Colonial Minister.

55 MacDonald to Dundas, dated June 5, 1862, in Examiner, July 14, 1862. For the letter referred to by Father Angus, Y. SUMA, p. 108.

56 MacDonald to Dundas, dated June 5, 1862, in Examiner, July 14, 1862: "...for if you were, I cannot suppose that Your Excellency would have retained in office a man who has so far forgotten the amenities of Christian propriety, and who has so far degraded his position as has Mr. Pope."

57 Ibid.

Under these circumstances, I have no alternative but to decline altogether entertaining the charge you make against Mr. William Pope, coupled as that charge is with a condition so extraordinary.

You have yourself thus deprived me of the opportunity of expressing my opinion regarding the language you quote as that of Mr. Pope. I understand, however, that Mr. Pope's letters are not the only letters on the subject. I am informed that you have yourself entered into, if not provoked, a religious controversy, that you have at great length and in no gentle words challenged discussion; and now when the battle has been fought, and upwards of three months have passed away, you bring under my notice words written perhaps in the warmth of a polemic contest, and which it would have been wise to forget.<sup>58</sup>

He closed by expressing the hope that the "paper war" would come to an end at once.<sup>59</sup>

On the same day that Dundas wrote his letter, the Monitor published an 'On Dit' to the effect "that the Rector of St. Dunstan's College has written to His Excellency the Lieutenant Governor, demanding, in the name of the Roman Catholics, the dismissal from office of the Colonial Secretary of the Colony."<sup>60</sup> The Governor's answer and the Monitor's 'On Dit' angered the Rector, whose first reaction was to return a Volume of Shakespeare's

<sup>58</sup> Dundas to MacDonald, dated June 11, 1862, in ibid.

<sup>59</sup> Ibid.

<sup>60</sup> Monitor, June 11, 1862; the information was probably conveyed by Premier Palmer. Was Dundas guilty of a breach of confidence in revealing the contents of Father Angus's letter of 5 June to Palmer? The answer is negative, for in cases such as this, it was permissible for him to consult the accused or other knowledgeable persons in order to check the accuracy of, and add details to, the report received from the accuser. A similar question arose in early 1863, also involving W.H. Pope and Father Angus, and in which these points were clarified. See Dundas to Newcastle, January 17, 1863, C.O. 226, vol. 98, pp. 29-30; Dundas to Newcastle, January 31, 1863 (Despatch No. 15), ibid., pp. 66-68; T.F. Elliott's marginal notes, February 19 and 23, 1863, ibid., p. 69; and Newcastle to Dundas, March 4, 1863, ibid., pp. 72-75. But it would seem that Palmer or whoever else spread the news to the Monitor was guilty of a breach of propriety in making public the substance of the letter; see Dundas to Newcastle, January 31, 1863 (Despatch No. 15), ibid., p. 67.

Works which Dundas had given the College as a prize for students one month earlier. The reason given was "His Excellency's indirect approval of the offensive writings of an official of his Government."<sup>61</sup> After a week, he also sent a long and strongly-worded letter to Dundas, in which he denied that he had implicitly threatened the Governor in any way by his reference to Newcastle, denied that he was a religious controversialist, claimed that Pope's letters had been written with "coolness and deliberation," and suggested that reliance on "mere hearsay" lay behind Dundas's "implied apology" for Pope's writings.<sup>62</sup>

Although Father Angus did not receive a reply to his letter of 18 June, he read in the Monitor of the same day of his own "haughty rejection of a handsome present, in the form of a valuable and in every respect unobjectionable contribution to St. Dunstan's Library."<sup>63</sup> Dundas left the Island for a holiday on 1 July 1862<sup>64</sup> and the next day William Pope wrote an open letter to Father Angus, which appeared in the Protestant of 5 July. The letter referred freely to the correspondence between the Lieutenant Governor and the Rector, and unreservedly abused Catholic

61 MacDonald to George D. Atkinson (Private Secretary to Dundas), dated June 13, 1862, in Examiner, July 14, 1862; Atkinson to MacDonald, dated May 13, 1862, in ibid.; and see Note A, pp. 121-122. This was the first prize ever offered by a Governor to S.D.C. Dundas had also donated a similar Volume to P.W.C., and he presented it publicly to a deserving student on 27 June; to help to solve the problem of a tie, he produced a second copy, probably the one Father Angus had returned to him two weeks earlier. See Monitor, July 9, 1862.

62 MacDonald to Dundas, dated June 18, 1862, in Examiner, July 14, 1862.

63 Monitor, June 18, 1862.

64 Dundas to Newcastle, July 1, 1862, C.O. 226, vol. 96, pp. 241-242.

doctrines and beliefs.<sup>65</sup> The Colonial Secretary cautioned vigilance against 'Catholic Ascendancy', and commended the establishment of Orange Lodges: "I trust ere long to be able to inform you, that no township is without its Lodge. These associations are now required."<sup>66</sup>

Father Angus delayed no longer. If this was the only reply he would receive from the local Government, he would write to Newcastle at once. Citing various letters from the pen of William Pope,<sup>67</sup> he complained that law-abiding Roman Catholics, as well as Protestants, had to pay taxes for the Colonial Secretary's salary. He also stated that it was immediately after the Governor's attendance at a public examination at St. Dunstan's College that Pope's series of letters "To the Protestants of Prince Edward Island" began, suggesting that there was some connection between the visit and the inauguration of

65 Open letter of Pope to MacDonald, dated July 2, 1862, in Protestant, July 5, 1862; Pope's self-justification for his outburst of ridicule against the "silly lies" of "an idolatrous and degrading superstition" was Father Angus's reference to him as having "no fixed religious principles"; see MacDonald to Dundas, June 18, 1862, in Examiner, July 14, 1862. Although the Islander of 27 June had demonstrated a fairly detailed knowledge of the letters between Dundas and the Rector, it had stated its intention to defer detailed comment until they became public.

66 Open letter of Pope to MacDonald, dated July 2, 1862, in Protestant, July 5, 1862. This was a reversal of Pope's statement of April 1861; see Note A, pp. 92-93.

67 The following letters were cited: Pope "To the Protestants of P.E.I.," in Islander, July 19 and 26, August 2 and 9, 1861; Pope to MacDonald, dated February 28, 1862, in Protestant, March 1, 1862; and Pope to MacDonald, dated July 2, 1862, in ibid., July 5, 1862.

'Pope's Epistles against the Romans.'<sup>68</sup> He closed by complimenting the Duke for his resolute stand against the Orangemen of Kingston in 1860.<sup>69</sup>

Since Pope and the Monitor had in effect already published fragments of his letters to Dundas, Father Angus decided the time had come to clear the air. In the Examiner of 14 July 1862, he published in toto his correspondence with the Governor in May and June, together with his letter to Newcastle. In addition, he wrote a covering letter to the Editor of the Examiner, in which he explicitly asserted the existence of "a fair understanding" between Pope and Dundas in the summer of 1861.<sup>70</sup> Interpreting the gift of the Shakespeare Volume as part of a similar pattern, he rhetorically asked: "is it not a great disappointment that this game was not played over this year, and it so near the general election?"<sup>71</sup> Edward Whelan, angry because Pope had used Father Angus's strong language against himself (Pope) as an excuse to attack all Catholics, republished Pope's

68 Dundas, in the company of Palmer, Gray, and Principal Inglis of P.W.C.; visited S.D.C. on 17 July 1861, and the first letter in the series appeared two days later (see Islander July 19, 1861).

69 MacDonald to Newcastle, dated July 7, 1862, in Examiner, July 14, 1862; also y. supra, p. 90, n. 65.

70 MacDonald to the Editor of Examiner, dated July 9, 1862, in Examiner, July 14, 1862; in temperate words, Pope denied that there was "an understanding between the Lieutenant Governor and Mr. Pope, that one should conciliate the Catholics, and the other abuse them"; see Islander, July 18, 1862.

71 MacDonald to the Editor of Examiner, dated July 9, 1862, in Examiner, July 14, 1862; at this time, the next general election was generally thought to be closer than it in fact was.

letter of 2 July. Construing Palmer's failure to disclaim Pope's remarks as approval of them,<sup>72</sup> the Examiner declared that any Catholic who would vote for the Conservative Government in the coming election deserved the "contempt and disrespect" of all Roman Catholics.<sup>73</sup>

Dundas returned to the Island on 22 July,<sup>74</sup> and on the same day asked his Executive Council to give their opinion on the packet of correspondence which Father Angus desired sent to Newcastle.<sup>75</sup> Palmer's Council unqualifiedly supported the Governor and the Colonial Secretary: they approved of Dundas's 11 June reply to Father Angus's request and they declared that the Rector's abuse of Pope in the Examiner of 17 and 24 February 1862 "deprive [d] Mr. MacDonald of the right, if any, which otherwise he might have had, to complain of the letter written by Mr. Pope on the 28th February."<sup>76</sup> Furthermore, they described part

72 Editorial in ibid. In arguing that had Palmer disagreed with his Colonial Secretary, he would have made it publicly known, Whelan cited the open letter written by the Premier some eighteen months earlier to disclaim, on behalf of the Government, views expressed by W.H. Pope on the Land Question; Father Angus made the same point in his letter to the Editor of the Examiner, dated July 9, 1862, in ibid.

73 Editorial in ibid.

74 Dundas to Newcastle, July 23, 1862 (Despatch No. 50), C.O. 226, vol. 96, p. 246.

75 Minutes of the Executive Council, July 22, 1862; the following letters were considered: MacDonald to Dundas, June 5, 1862; Dundas to MacDonald, June 11, 1862 (an erratum in the Minutes has the date of this letter as June 17, 1862, in two places); MacDonald to Dundas, June 18, 1862; and MacDonald to Newcastle, July 7, 1862.

76 Ibid.; also Y. supra, p. 108.



of Father Angus's argument in his letter to Newcastle as "highly disingenuous": he had reproduced a passage that Whelan had written earlier in 1862, and for which Pope had failed to gain a rule absolute for filing criminal information, thus implying that the words contained in the passage were endorsed by the Grand Jury which had refused the application for criminal libel.<sup>77</sup> Whelan's passage had said that Pope "owes it to the clemency of a few friends that he was not...arraigned, tried and convicted of something which bears a very ugly name in connection with money matters."<sup>78</sup> What the Executive Council objected to was Father Angus's

suppressing the fact, which the Board cannot doubt was within his knowledge, the affidavits having been published in the Examiner Newspaper, that the Defendant in shewing cause against the Rule nisi had solemnly sworn, that when he used the words quoted by the Reverend Mr. MacDonald, he did not thereby intend "to create or convey the impression that Mr. Pope had been guilty of criminal conduct in relation to money matters or any other matters."<sup>79</sup>

Thus the Rector in his letter to the Duke of Newcastle had reproduced the allegedly libellous words, without the retraction or explanation which appears to have saved Whelan from criminal proceedings.

77 Minutes of the Executive Council, July 22, 1862.

78 See MacDonald to Newcastle, July 7, 1862, in Examiner, July 14, 1862; this passage occurred in ibid., February 3, 1862.

79 Minutes of the Executive Council, July 22, 1862; the affidavits of W.H. Pope (dated 8 March 1862) and Edward Whelan (dated 8 May 1862) are reproduced as enclosures, in Dundas to Newcastle, July 23, 1862 (Despatch No. 51), C.O. 226, vol. 96, pp. 285-289 and 290-292, respectively. Whelan swore his meaning had been that Pope was liable to civil, not criminal, action.

The next day, Dundas forwarded the relevant documents to the Colonial Office.<sup>80</sup> The officials there were appalled: Sir Frederick Rogers, the Permanent Undersecretary of State for the Colonies, said that "Mr. MacDonald's tone is vulgar and violent and Mr. Pope's is worse."<sup>81</sup> The Parliamentary Undersecretary agreed: "such a Protestant fanatic as Mr. Pope seems very ill-fitted for public affairs in a mixed community like that of P. E. Island."<sup>82</sup> But the Chief Clerk advised that "it is difficult to say how the Secretary of State [Newcastle] can interfere with the prospect of any beneficial result."<sup>83</sup> The Duke agreed with his subordinates,<sup>84</sup> and incorporated their views into the communications he sent to Dundas. On 23 August he wrote

80 *Ibid.*, pp. 248-299. The following enclosures were sent with the Despatch: the Minute of the Executive Council dated 22 July 1862, together with the four letters considered at the meeting (*y. supra*, p. 115, n. 75); the letter of Pope to MacDonald, February 28, 1862, in pamphlet form; Protestant, July 5, 1862, including Pope's 2 July letter; the affidavits of Pope and Whelan; letter of MacDonald to the Editor of Examiner, dated July 9, 1862; Atkinson to MacDonald, May 13, 1862; MacDonald to Atkinson, June 13, 1862; and Pope to Palmer, July 19, 1862. The latter was written in response to a note which Palmer had sent to Pope on 18 July, four days after Father Angus published his several letters in the Examiner, and in which the Premier asked his Colonial Secretary whether he had any comments to make upon the contents of the just-published correspondence. Pope simply replied that his abusive public letters had been composed "in reply to personal and insulting attacks publicly made upon me by a popish priest;...they contain no statements which I see any reason to withdraw." He declined to comment upon the subject-matter, "the style...being such, as in my opinion, to render it altogether unnecessary that I should"; C.O. 226, vol. 96, p. 294.

81 Rogers's marginal note, August 8, 1862, *ibid.*, pp. 251-252.

82 Chichester Fortescue's marginal note, August 9, 1862, *ibid.*, p. 252.

83 T.F. Elliott's marginal note, August 6, 1862, *ibid.*, p. 251.

84 Newcastle's marginal note, August 12, 1862, *ibid.*, p. 252. None of these four notes suggested dissatisfaction with Dundas.

officially to the Lieutenant Governor:

How far it is fitting that a member of the Local Government and of the Legislative Assembly of Prince Edward Island, should be allowed to apply to a church, which is the object of reverence for a large number of his fellow colonists such language as Mr. Pope has not scrupled to employ, is a question I leave to the constituency which elected that gentleman, and to the Legislature whose confidence he must be presumed to retain. I leave it in the same way to Mr. MacDonald's ecclesiastical superiors to consider the propriety of the language in which he has assailed Mr. Pope.

The civil and ecclesiastical constitution of the Colony is such as to relieve the Secretary of State from involving himself in so distasteful a controversy. It appears to me only necessary that I should acknowledge the receipt of Mr. MacDonald's letter, and should authorize you to communicate to him a copy of this despatch as an answer to it.<sup>85</sup>

As a reply which would reach one or more of the participants in the controversy,<sup>86</sup> the Despatch appropriately straddled the issue. But on the previous day, Newcastle had written privately to Dundas:

I could not in any way justify the language which he [Father Angus] a minister of religion has used in this controversy but if I blame him, much more must I condemn the conduct of Mr. Pope which considering the public position which he holds I can only characterize as disgraceful....he is little fitted to be Colonial Secretary in a Colony of mixed religious profession. I feel sure that you will consider it your duty to do all in your power to prevent him from writing such abominable letters in the newspapers. You tell me that the Roman Catholics blame Mr. MacDonald for his conduct. I am glad to hear it....But do not suppose that because they blame their own priest they therefore do not feel agrieved (sic) by your adviser.

<sup>85</sup> Newcastle to Dundas, August 23, 1862, *ibid.*, pp. 300-302. The Colonial Office was obviously unaware of the 'nondepartmental system' followed by the Palmer Government. There was no excuse for this ignorance, as Daly had taken pains to make his views on the subject known to the C.O. (Y. 4188, p.60, n.23). This seems to be a fair index of the Home Government's interest in Island affairs, always excepting the Land Question.

<sup>86</sup> On 5 September, Dundas sent a copy of Newcastle's Despatch to Father Angus, and the latter published it on 29 September. See Dundas to Newcastle, April 27, 1863 (Despatch No. 39), C.O. 226, vol. 98, p. 224; and *Examiner*, September 29, 1862.

The R.C. Bishop seems to me to be as mild and tolerant as Mr. MacD is probably hot and bitter, but I know that he grieves deeply on the religious discord which Mr. Pope is disseminating and feels the insults offered to his Religion. If these discussions continue, those who tolerate them will have much to answer for.<sup>87</sup>

Although Newcastle had no intention of becoming officially involved in such a sordid affair, he clearly expected the Lieutenant Governor to advise, if not to order, Pope to cease his attacks on Roman Catholic beliefs.

Father Angus had appealed to three agencies to remove W.H. Pope: Governor Dundas, the Palmer Government,<sup>88</sup> and the Colonial Office.

Dundas had refused because of the appellant's tone, the Government on

87 Newcastle to Dundas, August 22, 1862 (private), Newcastle Papers, Letterbook B-4, pp. 230-232. Three observations should be made upon this letter: (A) although the marginal notes affixed to Dundas's Despatch No. 51 had not indicated disapproval of the course followed by the Governor in his letter of 11 June, the implication of this letter from Newcastle was that he might with propriety have remonstrated with Pope privately. (B) The Duke's letter suggests that he had had a recent interview with Bishop MacIntyre - indeed W.H. Pope was of this opinion; see his open letter to MacDonald, dated October 3, 1862, in Protestant, October 4, 1862. (C) It also appears from this letter that Dundas had written unofficially to Newcastle on the subject of the religious polemics, for Dundas's Despatch of 23 July did not assert that Island Catholics believed Father Angus had gone too far. However, this writer has not found the letter in either the Colonial Office Records or the Newcastle Papers.

88 In his letter of 18 June to Dundas, Father Angus had asked the Governor at least to remonstrate with Your Executive Council, on the unseemly impropriety of retaining in connection with the Government an individual who appears to have laboured unceasingly for some time in the unholy attempt, to exasperate Catholics by vilifying their clergy and scoffing at their religion, and to excite sectarian hatred and animosity between them and the Protestants of this Colony.

MacDonald to Dundas, June 18, 1862, in Examiner, July 14, 1862. The resolutions adopted by the Council on 22 July would seem to be their answer to Father Angus.

account of his February letters and his mode of attack,<sup>89</sup> and Newcastle owing to the principles of Responsible Government and the sordidness of the dispute. Behind all lay the spectre of a public outcry, possibly non-partisan, concerning the freedom of the press. Open tampering with W.H. Pope in the exercise of his journalistic duties would in all probability create more problems than it would solve - certainly his dismissal would be unwise for Dundas, Palmer, or Newcastle. But the latter, by his private letter to Dundas, seemed to have effected one of Father Angus's goals: the silencing of Mr. Pope. If so, the Rector of St. Dunstan's could count himself successful.<sup>90</sup>

89 Besides these ostensible reasons for the cabinet's refusal to dismiss W.H. Pope, the following may be listed: (A) the political alliance between the Colonial Secretary and the Council; (B) Father Angus's implication that the Council were blameworthy for not silencing Pope, and thus were his accomplices; and (C) the presence of James Pope, William's younger brother, on the Council.

90 Father Angus said that "the answer of His Grace [Newcastle] is much more satisfactory than I thought it would be.... [It] all but designates [W.H. Pope] unscrupulous and presumptuous"; see MacDonald to the Editor of Examiner, dated September 27, 1862, in Examiner, September 29, 1862. Fr. John C. MacMillan, in his History of the Catholic Church in Prince Edward Island from 1835 to 1891, seems to agree that Father Angus had been successful; the second paragraph of the Duke's Despatch "was a gentle reminder to Governor Dundas that he held in his own hands the settlement of the question, and should not have obliged the aggrieved party to apply for redress to the Motherland" (p. 206). MacMillan also saw the dismissal of William McGill from the Militia (y. supra, pp. 82-86) as a precedent for Father Angus's action (p. 209).

## NOTE

Note A. Fr. John C. MacMillan and the Shakespeare Volume. In his History of the Catholic Church in Prince Edward Island from 1835 to 1891, pp. 193-195, Fr. MacMillan by insinuation makes this minor incident into a contributing factor for Dundas's refusal to agree to Father Angus's request of 5 June to dismiss Pope. He states that "this rebuff probably provoked the ire of His Excellency," proceeds to say that Pope continued to abuse Catholics and Catholicism, and then relates how, "matters having gone to such extremities," Father Angus wrote his letter of 5 June. Thus the letter returning the book (13 June) becomes by implication a cause for Dundas's reply of 11 June! There is no excuse for this juggling of chronology, even by insinuation, as all these letters appear on the same page of the Examiner of 14 July 1862, which MacMillan read (see his History of the Catholic Church...., pp. 203-204). Once the chronological order of history becomes garbled, the conclusions become misleading: here effect became cause.

Furthermore, there are other omissions and errors in his delineation of this sequence of events: (1) Prince of Wales College also received a Shakespeare Volume as a prize from the Governor (see Islander, June 27, 1862) at the same time, and thus the gift to S.D.C. becomes not an effort "to cloak over his tacit approval of the Colonial Secretary's scurrility" (History of the Catholic Church...., p. 194), but an attempt to avoid any imputation of preference of one institution over the other; (2) MacMillan asserts that the Rector returned the Volume "at once with contempt"; in fact Father Angus had waited a month (between 13 May and 13 June 1862),

during which he did not acknowledge the Volume; as for "contempt," Father Angus himself publicly wrote that he "returned it in a respectful manner" (MacDonald to the Editor of the Examiner, dated July 9, 1862, in Examiner, July 14, 1862); (3) Pope appears to have been silent between his letters of 28 February and 2 July 1862; (4) and, finally, there are several small errors in MacMillan's copying of the letters between Dundas and Newcastle.

The real significance of the Rector's letter of 13 June is small: it is an index of his pique at Dundas's reply and the Monitor's 'On Dit'. Nothing else can be drawn out of it, much less a partial causal explanation for Dundas's letter of 11 June. The necessity for this lengthy correction of MacMillan's account arises out of its being the sole published version of the affair.

## Chapter Six

"The grand aim of the Roman Catholic Clergy of this Island is to obtain a grant for their College of Saint Dunstan. This they cannot procure unless the present Government can be ousted,"<sup>1</sup> said the Islander on 19 September 1862. This was becoming the dogma of the Government journals: more than a month earlier, David Laird had advised the electors to "vote for no individual who will not pledge himself to refuse a grant to St. Dunstan's College, and to allow the Bible to remain in use in our public schools."<sup>2</sup> The Monitor agreed, and in an editorial entitled "The Duty of Protestants in the Coming Crisis," pronounced the issue to be between "an open Bible, and the free and happy service of God," and "the Mass Book and the domination of the Pope and his hireling priesthood."<sup>3</sup> Thus W.H. Pope said little that Prince Edward Island had not heard before. But his words began a carnival of recriminations and exposés. After all, he had been at the center of the Government's attempts, stealthy though they were, to seek an accommodation with Island Roman Catholics. He had then reversed his position, and had become the most cutting of the 'Protestant' polemicists. His extreme expressions had led to complaints against him being sent all the way to

1 Islander, September 19, 1862.

2 Protestant, August 9, 1862.

3 Monitor, September 3, 1862.



Downing Street. This had been a drastic step to take, but Catholics believed it had resulted in his being silenced.<sup>4</sup>

Now Mr. Pope was returning to his old ways. Edward Whelan, apparently on the basis of incomplete information,<sup>5</sup> announced that "in the Session of 1861, William H. Pope...informed certain Catholic clergymen that it was the wish and intention of the Government to give a grant of the public money in aid of St. Dunstan's College.... This proposal came unmasked and unexpected...."<sup>6</sup> In the next five weeks Pope drove his accusers, who included Whelan, Conroy, Father Angus, the Bishop, and a leading Roman Catholic layman, from the field.<sup>7</sup> On one point only did he find it necessary to retreat,<sup>8</sup> and on 25 October he closed the controversy by challenging Bishop

4 See Fr. Angus MacDonald to the Editor of Examiner, dated September 27, 1862, in Examiner, September 29, 1862. The Rector seems to have learned of Newcastle's private letter of 22 August to Dundas, possibly through the interview which the Bishop appears to have had with the Duke (v. supra, p. 119 and p. 119 n. 87). Newcastle may have intimated to MacIntyre his intention to write such a letter, in addition to his official reply.

5 It was probably passed from the Bishop to Father Angus to Whelan.

6 Examiner, September 22, 1862.

7 See Note A, pp. 150-152.

8 Father Angus wrote on 29 September that the Governor had visited Bishop MacIntyre concerning the projected St. Dunstan's grant. On 3 October Pope replied that "the subject of St. Dunstan's College was never mentioned." Father Angus answered by referring to two occasions on which Dundas had discussed the question with the Bishop. Pope then retracted his earlier statement, and said that since then he had been informed that "the subject was mentioned." See the signed editorials of W.H. Pope in Examiner, October 3 and 10, 1862, and the letters of Fr. MacDonald addressed to Whelan and the Editor of Examiner, dated September 29 and October 4, 1862, respectively, in Examiner, September 29 and October 6, 1862; also v. supra, p. 99.

MacIntyre<sup>9</sup> to answer directly four crucial questions about the negotiations of 1861 concerning St. Dunstan's College: did he (the Bishop) initiate discussions on the St. Dunstan's grant or not?; did Pope in his first conversation stress that the views he expressed were his alone, or not?; did Pope say that he would support a grant to St. Dunstan's only if secularized, or not?; and did the Bishop say after learning that the Conservative Government had rejected Pope's plan that he would do his utmost to defeat them, or not?<sup>10</sup> He received no reply. It was a devastating display of the logical powers of W.H. Pope's mind, and it meant that the Palmer Government retained the confidence of the Protestants of Prince Edward Island: no attempt had been made by 'their' Government to endow a Roman Catholic institution, and the Executive Council had even spurned its own Colonial Secretary's plan to endow a secularized St. Dunstan's College.<sup>11</sup>

9 Only a reply from the Bishop or someone authorized by him would satisfy Pope, for neither Whelan nor Father Angus was present during the discussions between MacIntyre and himself; see Pope's signed editorial in Islander, October 10, 1862. Father John C. MacMillan asserts that

Father Angus was in the best possible position to know the facts of the case....It was impossible...that he should not know at least the substance of the negotiations that had passed between the Bishop and the emissaries of the Government,...impossible indeed that he should not be acquainted with even their most minute details.

History of the Catholic Church in Prince Edward Island from 1835 to 1891, p. 233. This is not borne out by an examination of the primary sources; see Note A, pp. 150-152. These 'impossibilities' were not only possible, but matters of fact.

10 Letter of Pope, undated, in Protestant, October 23, 1862.

11 V. supra, pp. 99-104; also see Note B, pp. 153-154.

The consequences of the exciting five weeks of revelations were momentous: a Catholic counterpart of the Protestant was founded,<sup>12</sup> the militant Presbyterians and Orangemen were mobilized, and the Tories won the general election of 1863 on the wave of mutual animosity that swept the Island in late 1862 and early 1863. On 17 October 1862, Edward Reilly<sup>13</sup> founded the avowedly Catholic Vindicator, as an alternative to reading matter "of a dangerous character, filled with moral poison." Its policy would be "to overcome prejudice by moderation, good example and reason, rather than by exasperating polemical disputations." In politics, Reilly's paper would be "independent"; "we purpose to defend the cause of justice and to vindicate the rights of Catholics ....Should our acting thus ruin the Liberal cause, we avow that we do not much fear being troubled with many qualms of conscience for having hastened its destruction." To those who said that Whelan was already accomplishing the ends of the new journal, the Vindicator replied that "the Examiner is not a Catholic newspaper,... [although] its publisher is a Catholic, and...its columns have been open for the maintenance of the rights of Catholics against the assaults of religious and political prescriptionists...."<sup>14</sup>

12 As early as 1859, Fr. Thomas Phelan had said the founding of such a paper was "inevitably certain"; see report of his speech at the C.Y.M.L.I. in Islander, December 9, 1859.

13 Reilly, a native Islander, was twenty-two years of age, and had formerly been a teacher in the district schools.

14 Vindicator, October 17, 1862.

Fr. Angus MacDonald appears to have been a very substantial contributor, if not the editor, of the Vindicator.<sup>15</sup> When it was founded, the Rector reduced his signed correspondence in other papers to nil, and most of the Island journalists simply assumed that Father Angus was the responsible editor. He never denied or confirmed it, and many of the articles resembled his former contributions to the Examiner.<sup>16</sup> essays on Protestant morality, attacks on Garibaldi, satires on Protestant enthusiasm, and references to Prince of Wales College as "the Protestant College."<sup>17</sup> There was even a series on the Confessional, with W.H. Pope as the imaginary penitent.

The Vindicator was more faithful to its pledge to relentlessly pursue its conception of Catholic rights than to its declared policy of eschewing "polemical discussions" in favor of "moderation, good example and reason" as its means to that end. Like the Protector and the Protestant, its original material was characterized by bombast rather than the subtle artistry of a Whelan or the logic of a MacLean or W.H. Pope. By its third number it had joined Laird in denouncing

<sup>15</sup> Whelan said in 1865 that "the Vindicator could not have lived six weeks without the Reverend Rector"; Examiner, July 24, 1865. In later years, Reilly explicitly denied having been the responsible editor of the Vindicator; see Assembly Debates, 1870, p. 41. Also see MacDonald to the Editor of Examiner, dated January 7, 1865, in Examiner, January 9, 1865; in which the Rector denied being the editor of Reilly's new paper, the Herald, which had recently succeeded the Vindicator.

<sup>16</sup> V. AMRA, p.107 and p.109, n.54.

<sup>17</sup> Bishop MacIntyre himself used this term with reference to P.W.C.; see MacIntyre to Mr. Cortes (Treasurer of the Society for the Propagation of the Faith), January 8, 1861, MacIntyre Papers. He also referred to "a Protestant Normal School", presumably meaning Mr. Webster's institution.

the non-partisan call by Ross's Weekly<sup>18</sup> to end the pointless wrangling. Without naming anyone, Ross had simply deplored the stooping to personalities by leaders in Church and State, as setting a bad example for the masses. But half-friends were no friends at all. Its penchant for personal abuse<sup>19</sup> soon led to its being called 'the Vilifier.'

Protestants were not slow to take up the challenge. Citing rash words uttered by Whelan and the Bishop,<sup>20</sup> they professed to fear a solid front of Roman Catholics at the next election. The answer, of course, was an equally-united Protestantism. On 14 October the United Presbytery endorsed the Rev. George Sutherland's violently anti-Catholic "Pastoral

18 See Vindicator, October 31, 1862; and Protestant, November 8 and 22, 1862. The relevant number of Ross's Weekly (October 23, 1862) is missing, but the Vindicator reprinted the offending article. This journal was owned and partially edited by John Ross, a Nova Scotian. Founded in 1859, its policy was to scrupulously abstain from all political and religious partisanship; see Ross's Weekly, July 20, 1859. The only issue on which it declared itself was the continuance of leasehold tenure, which it opposed with increasing vehemence. It was filled with light reading and often had no editorial. In little more than a year it had attained the second-highest circulation among Island journals, and was selling twice as well in Charlottetown as any other paper; see ibid., October 8, 1860. By 1862 it was claiming the largest subscription-list in the Colony; see ibid., April 17, 1862. Clearly, at least some Prince Edward Islanders were happy to avoid the rabid disputes of these years.

19 Throughout this period, Protestants when abusive usually vented their spleen upon institutions, Catholics upon persons.

20 Y. supra, pp. 115 and 103, respectively.

to the Presbyterians of Prince Edward Island."<sup>21</sup> Six weeks later, they ordered the publication and distribution of 1,000 copies of the document.<sup>22</sup> The language used by Mr. Sutherland was so intemperate that in the early months of the new year it began a public controversy between him and the ministers who dissented.<sup>23</sup> Even David Laird admitted after the election that "the Pastoral had not our entire approval."<sup>24</sup> It began by asking the rhetorical question, "What, stript of all prejudice from birth or education, is Popery?", and went on to declare that

Like the Apocalyptic beast, it has two horns like a lamb, but speaks as a dragon....its peculiar teachings are absolutely soul-destroying....they are wholly opposed to the teachings of the Word of God. If the Bible is true, they are not....Popery, while professing to educate, fetters, enfeebles, and destroys....We presume not to dictate for whom you are to vote; but,..let the day of trial see you ranged in undivided ranks in favor of a free, independent, and unfettered Protestant Government.<sup>25</sup>

21 Minutes of the United Presbytery (P.E.I.), October 14, 1862. The Committee to draw up the Pastoral had been appointed several weeks earlier, and Mr. Sutherland was its Convener; ibid., September 2, 1862. The Rev. David Fitzgerald addressed the latter meeting. Whelan claimed that on 14 October a vote was taken on the Pastoral, which led to a six-to-five decision. However, the Rev. Robert Laird contradicted this, saying that no vote was taken on the text of the Pastoral, and that the vote referred to the question of publication. See Examiner, December 15, 1862; and letter of R. Laird, dated January 16, 1863, in Protestant, January 24, 1863.

22 Minutes of the United Presbytery (P.E.I.), November 26, 1862.

23 See Note C, pp. 155-157.

24 Protestant, January 24, 1863.

25 From the Vindicator, December 26, 1862.

The Orangemen also took action. They were steadily growing in numbers.<sup>26</sup> Since 1859, fourteen new primary lodges had been established, and in February 1862 they had founded the Grand Orange Lodge of Prince Edward Island.<sup>27</sup> This of course led to a tremendous outcry among Island Roman Catholics, but many Protestants adopted the attitude of an anonymous correspondent of the Protestant in 1861: "the more we hear popish legislators and priests cry out against Orangemen, the more we feel the necessity and efficiency of their organization."<sup>28</sup> On 6 December 1862, Grand Secretary Thomas J. Leeming wrote to fellow-members of the Grand Lodge and called for a special meeting, to be held six days later, to discuss questions such as sectarian grants in the light of the general election scheduled for January of 1863.<sup>29</sup> At the meeting on 12 December, the Grand Lodge adopted a "Platform for the Orange Body at the coming

26 They were first-generation Orangemen, as few Irish Protestants had come to the Island, and most Protestants were Scottish. Thus most of them acquired their Orangeism on P.E.I., and did not bring it with them from the Old Country. For the amazement of a Roman Catholic M.L.C. of Scottish origin at the growth of Orangeism among the Scottish Protestants of P.E.I., see Patrick Walker in summary report of Legislative Council debates in Examiner, May 25, 1863. In any case, 77.9% of all Islanders, according to the Census of 1861, had been born on P.E.I.; see Clark, Three Centuries and the Island, p. 121, Table V.

27 The Grand Lodge arose out of the necessity of establishing common policies for, and coordinating the activities of, fifteen scattered primary lodges and a rapidly-increasing membership. See First Annual Report, Grand Orange Lodge Records (P.E.I.), 1862, pp. 6-7.

28 Letter of "Scrutator" in Protestant, May 4, 1861. Laird published this letter in his editorial column.

29 T.J. Leeming to an unnamed Orangeman, December 6, 1862, published in Examiner, January 19, 1863. The letter had been delivered to the wrong person. Leeming later suggested that Whelan's publication of his letter two days before the election had been "the direct interposition of the finger of Providence on our behalf," in that it showed the true nature of Orangeism, and was believed, being signed by an Orange officer. He admitted, however, that it would not have helped the Order, had the Liberals won the election. See his speech on 26 February 1863, in Second Annual Report, Grand Orange Lodge Records (P.E.I.), 1863, p. 10; and his letter to the Editor of Examiner, dated January 21, 1863, in Examiner, January 26, 1863.

Election," containing four points,<sup>30</sup> in the form of questions to be addressed in writing to candidates. The Orangemen desired that prospective legislators pledge to resist public endowment of St. Dunstan's or any other sectarian institutions, to resist disendowment of Prince of Wales College, to standardize regulations for all district schools,<sup>31</sup> and to support a petition to incorporate the Grand Orange Lodge of Prince Edward Island.<sup>32</sup> The Brethren in each district were to require answers in writing, and the Grand Lodge resolved that voting for the candidates giving the correct responses was an "absolute necessity."<sup>33</sup> In addition, the Grand Lodge sent out a circular letter, enjoining Orangemen to "unite as one man" and to "stand 'shoulder to shoulder' in the coming struggle with the enemies of our creed and country."<sup>34</sup>

It was a desperate struggle. George Coles was dead wrong when, early in the campaign, he wrote that "Bigotry does not flourish in the land to anything like the extent it did four or five years ago. The so-called

30 A fifth (number four, in fact), suggested by J.B. Cooper, was rejected by Grand Master George P. Tanton as being beyond the constitutional province of the Order: it advocated compelling Government office-holders to support financially, as well as vote for, the Government "to whom they are indebted for their official positions and emoluments." See Second Annual Report, Grand Orange Lodge Records (P.E.I.), 1863, Appendix, p. 23; and Examiner, December 22, 1862.

31 This was directed at the privileges enjoyed by the French Acadian Schools. See Note F, pp. 161-162; also y. supra, p. 66 and p. 66, n. 47.

32 Second Annual Report, Grand Orange Lodge Records (P.E.I.), 1863, Appendix, p. 23. The letters were marked "Private and Confidential," but Whelan published a copy within ten days of the meeting; see Examiner, December 22, 1862.

33 Second Annual Report, Grand Orange Lodge Records (P.E.I.), 1863, Appendix, p. 23.

34 It was published in the Monitor, December 24, 1862.



'religious question' has happily not taken root."<sup>35</sup> On the one side were the Liberal Party, the Examiner, the Vindicator, and the Roman Catholic clergy, and on the other the Tories, the Protestant, the Islander, the Monitor, and various Protestant ministers. For the Liberals, James Yeo Sr. was the man they wished to defeat, and defeat him they did.<sup>36</sup> He was the only sitting Tory to contest a Roman Catholic constituency.<sup>37</sup> Two days before the election, the Examiner declared that "any Catholic, be he French, Irish, or Scotch, who votes for Mr. Yeo, unquestionably disgraces himself, and will have the finger of scorn pointed at him as long as he lives."<sup>38</sup> Of the two Liberals representing Protestant districts, Wightman lost to David Kaye (who in February became Grand Master of the Orange Association of Prince Edward Island), and George Sinclair survived only by moving to a Catholic constituency.

William Pope was in the field, and in the company of Colonel Gray he successfully contested Belfast, the most Presbyterian constituency on the Island. On 7 November, he outlined, complete with statistics, how the Bishop would attempt to divide Protestants, gerrymander the electoral districts, and then eliminate the Liberal Protestants.

35 Letter of Coles "To the Electors of Prince Edward Island," dated December 20, 1862, in Examiner, December 22, 1862.

36 Yeo was elected to the Legislative Council on 11 February 1863. In 1862 the Council had become a thirteen-member, elective body, with eight-year terms and staggered elections. The franchise was restricted to adult males with £100 lease or freehold. See 25 Vic., c.18, passim.

37 Thomas Owen Jr. did not attempt re-election, and his seat was taken by a Liberal Catholic.

38 Examiner, January 19, 1863.

"His Lordship the Bishop would be the absolute ruler of Prince Edward Island." The lesson was clear: "let Protestants forget their differences, whatever they are; they are not worthy to be remembered at such a crisis as the present, —let them unite to procure the return of the present party in power." The alternative was "an end to Protestant ascendancy in the Colony."<sup>39</sup> Pope found ready supporters: Laird declared that "the endowment [of St. Dunstan's] ...is the PRIESTS' LAND QUESTION,"<sup>40</sup> and that "so far as priests and bishop are concerned, the whole contest is about St. Dunstan's and the Nunnery."<sup>41</sup> Apparently the Bishop had taken Laird into his confidence.

On the Roman Catholic side, Whelan and the Vindicator were a match for Pope, Laird, and the staff of the Monitor. After reviewing the Presbyterian Pastoral, Whelan recalled with bitterness the days when no serious friction existed between the denominations of Prince Edward Island, and when "no small-souled hypocrite named Sutherland infused his poisonous breath to inflame the pretensions of the one, and add to the miseries of the other."<sup>42</sup> Relentlessly, he reprinted the Presbyterian Pastoral, the Orange Platform, and the letter from Leeming to the members of the Grand Orange Lodge.<sup>43</sup> Two days before the

39 Islander, November 7, 1862.

40 Protestant, December 20, 1862.

41 Ibid., January 17, 1863.

42 Examiner, December 15, 1862.

43 In ibid., December 15 and 22, 1862, and January 19, 1863, respectively.

election, he wrote "thank God, the Catholics are thoroughly, closely united...to check the proscriptive policy which the Government would fain pursue with regard to the civil rights of Catholics."<sup>44</sup> For its part, the Vindicator professed to believe that the Government was arming Orangemen for election day.<sup>45</sup> In vain, Ross's Weekly appealed for sanity, and a united effort against "the one great evil."<sup>46</sup>

Surprisingly, there was no violence on election day, 21 January 1863.<sup>47</sup> The Conservatives maintained their eighteen - to - twelve margin in the House. The electorate had totally split — Protestant districts returned Conservatives, and Roman Catholic ones, Liberals.<sup>48</sup> Emmanuel MacEachen, the only Catholic Tory to run, lost by a margin of five to two in a Catholic riding.<sup>49</sup> On 11 February, the first election for the Legislative Council gave the Conservatives a resounding nine - to -

<sup>44</sup> Ibid., January 19, 1863.

<sup>45</sup> Vindicator, January 9, 1863.

<sup>46</sup> Ross's Weekly, December 18, 1862. This of course was leasehold tenure.

<sup>47</sup> Ibid., January 29, 1863; and Dundas to Newcastle, January 31, 1863 (Despatch No. 13), C.O. 226, vol. 98, p. 57. These are the closest we have to impartial observers.

<sup>48</sup> For a break-down of the fifteen dual ridings by religion, see Appendix, p. 323.

<sup>49</sup> See Examiner, January 26, 1863. He lost to a Liberal Protestant, Hensley.

four victory.<sup>50</sup> Religious lines were as rigid as they had been in January, and again the only Roman Catholic Tory lost.<sup>51</sup> For the Liberals, however, consolation could be drawn from the return of James Warburton to the Assembly.<sup>52</sup>

For the Conservatives, the election was followed by a change in leadership. With the support of at least James Pope, Colonel Gray wrested the Premiership from Palmer, and reconstructed the Government.<sup>53</sup> It seems unlikely that the overthrow of Palmer was related to profound differences on public matters, at least concerning 'religion and education,' for in 1861 the two most powerful and influential members of the new Government, Premier Gray and William Pope, had been identified with their leader's moderate position. Rather it appears that personal differences were more important, as the stiff Edward Palmer represented the old Tory Party, and did not mix easily with the aggressive 'new men' of Island conservatism. In short, to these men, Palmer seemed to have outlived his epoch. Aside from Pope,

50 Although elective now, the Legislative Council excited little but apathy from the voters: five of the thirteen M.L.C.'s were acclaimed. Of course a contributing factor was that the Assembly elections had already decided who was to rule P.E.I.

51 He was Patrick Doyle, who had been a Liberal M.H.A. for Tignish from 1859 to 1862, and he only became a Tory because the Bishop and Conroy had ousted him in favour of George W. Howlan, who was also an Irish Roman Catholic. He ran a poor third in January. The result was an unpleasant public dispute. See e.g. Examiner, February 9, 1863; and Islander, July 24, 1863.

52 Warburton and George Sinclair had defeated James Yeo Sr. in the riding of Egmont Bay and Indian River.

53 See John Longworth to Palmer, February 23, 1863, Palmer Papers; Minutes of the Executive Council, February 17 and March 2, 1863; and Islander, March 6, 1863.

the leading new member of the Executive Council was David Kaye, who had four days earlier become the Orange Grand Master.<sup>54</sup> The only significant Councillor displaced was Alexander Laird Sr.<sup>55</sup> With the new Government, non-departmentalism<sup>56</sup> became a thing of the past. W.H. Pope remained as Colonial Secretary, and Palmer became Attorney General.<sup>57</sup> Governor Dundas wrote to Newcastle that the policy had died as a result of its own "practical inconvenience."<sup>58</sup> In fact, it had been modified as early as 1860, when Palmer was allowed remuneration as Premier.<sup>59</sup>

Gray's Government was formed on 2 March, and on the next day the Session began. From start to finish it was tempestuous. The Islander had said after Yeo's defeat that "now...the Government are free. To Roman Catholics they owe nothing more than is due to political opponents."<sup>60</sup> Although this was true, the Government had other debts to pay, and on the first day of the Session they replaced the Rev. Louis

54 See Second Annual Report, Grand Orange Lodge Records (P.E.I.), 1863.

55 T.H. Haviland had resigned from the Executive Council in late 1862 because of his disagreements with Palmer as to the Land Question.

56 V. supra, pp. 51 and 60.

57 Frederick Brecken, whom Palmer replaced, had been elected junior Member for Charlottetown. Once relieved of the Premiership, Palmer refused to serve under Gray unless he were to receive an office, which presumably meant the Attorney Generalship; see Palmer to Roderick MacAulay, February 23, 1863, Palmer Papers.

58 Dundas to Newcastle, January 31, 1863 (Despatch No. 13), C.O. 226, vol. 98, p. 57.

59 Dundas to Newcastle, December 10, 1860, ibid., vol. 92, pp. 463-466; the alternative had been acceptance of Palmer's retirement for financial reasons, from the Premiership.

60 Islander, January 30, 1863.

C. Jenkins as Chaplain to the Assembly and Legislative Council,<sup>61</sup>  
with the Revs. Messrs. Sutherland and Fitzgerald, respectively.<sup>62</sup>

These appointments were most controversial. Fitzgerald was a Deputy Grand Chaplain of the Grand Orange Lodge, and in 1861 the House, by a vote of ten to nine, had refused a proposal by Haviland to give Sutherland a sum of money to aid him in the publication of his textbook, 'The Geography and History of Prince Edward Island.'<sup>63</sup> After the Legislature refused aid to Sutherland's project, the Board of Education had stepped into the breach and purchased seventy pounds worth of the volumes.<sup>64</sup> The upshot of his obtaining the Chaplaincy of the House was that on the next day Dr. John T. Jenkins, son of the deposed Chaplain, accosted Daniel Davies,<sup>65</sup> a Conservative Executive Councillor, on the steps of the Assembly, and called him a "blackguard." When James Duncan, the mover of Sutherland's appointment, joined the

61 An Anglican, the Rev. Mr. Jenkins had been Chaplain to the House since 1860, when the 'Protestant Government' revived the position, which had been abolished in 1838. Mr. Jenkins was also Chaplain from 1827 to 1837, with the exception of one year. He seems to have voted Liberal in 1863. The Legislative Council had maintained Jenkins as their Chaplain throughout much of the period when there was no such officer in the House. See D.C. Harvey, The Glebe and School Lands in Prince Edward Island (unpublished typescript, undated).

62 See Assembly Journal, 1863, p. 11; and Legislative Council Journal, 1863, p. 20. The votes were 15-12 and 7-4.

63 Assembly Debates, 1861, p. 131. The full title was A Manual of the Geography and Natural and Civil History of Prince Edward Island, for the Use of Schools, Families and Emigrants (1861), and it contained 164 pages.

64 See Minutes of the Executive Council, December 17, 1861. Mr. Sutherland was a member of the Board of Education; also see comments of Opposition Leader Coles in Assembly Debates, 1862, p. 118.

65 An M.H.A. since 1859, he was the younger brother of Benjamin Davies, who had been an unsuccessful Liberal candidate in 1858, 1859, and 1863.

argument, he was assaulted by Jenkins.<sup>66</sup> It was a stormy beginning, and almost typical of the Session, during which a group of Liberals walked out whenever Sutherland started to pray.<sup>67</sup>

Meanwhile, the Vindicator spelled out its educational programme: the endowment of St. Dunstan's<sup>68</sup> and the removal of the Bible from the schools, the latter on the grounds that "overfamiliarisation" with some "improper" sections might lead to "outrageous abominations" in the classroom.<sup>69</sup> Further in the background, Fr. Angus MacDonald, with the knowledge of the Government, pursued his personal quarrel with William Pope by writing twice more to the Duke of Newcastle for the Colonial Secretary's removal from office.<sup>70</sup>

In such an atmosphere, the Legislative debate on Orange Incorporation could hardly be anything but turbulent. At their Annual Meeting in February of 1863, the Grand Orange Lodge had exulted in the Conservative victory. Indeed, they claimed a considerable portion of the credit: "it was through the exertions of our Order, to a large extent, that the

66 Assembly Journal, 1863, pp. 12-32; Dr. Jenkins was put in the custody of the Sergeant-at-Arms for three days, after which he apologised and was released.

67 Examiner, March 16, 1863.

68 Vindicator, February 4, 1863.

69 Ibid., February 27, 1863; the editor had not been explicit on these points prior to the election.

70 These letters did not produce the desired result and they were not published. See Note D, pp. 157-159. MacMillan errs in saying that "Father Angus did not pursue the case further....he wisely decided to let the matter rest"; History of the Catholic Church in Prince Edward Island from 1835 to 1891, p. 206.

Protestant Government of this Colony has been sustained."<sup>71</sup> This being the case, and having a number of Brethren and allies in the Legislature,<sup>72</sup> the Orangemen decided to strike while the iron was hot. They appointed a committee composed of Kaye, Cooper, Tanton, Leeming, and Fitzgerald to petition the newly-elected Members.<sup>73</sup>

On 17 March, St. Patrick's Day, W.H. Pope introduced the Bill to incorporate the Grand Orange Lodge of Prince Edward Island.<sup>74</sup> Aware that Fr. Angus MacDonald was still writing to Newcastle to have him removed from office,<sup>75</sup> Pope was brimming with calm spite. He opened the debate by asking rhetorically why the Orangemen should be denied the privileges of incorporation if "even the Romish Bishop in this City" could be incorporated.<sup>76</sup> He went on to read the Orange oath and to declare that "we may be assured that to our Protestantism we owe it, that we are a great and free people."<sup>77</sup> This was the opening shot in a debate, the ferocity of which has probably never, before or

71 See Address of Grand Master G.P. Tanton, in Second Annual Report, Grand Orange Lodge Records (P.E.I.), 1863, pp. 5-6; also Leeming in ibid., p. 8.

72 John Goff and Kenneth Henderson in the Legislative Council were Orangemen; of the Assemblymen, Kaye of course was the new Grand Master, and W.H. Pope may have been a member also — he was at a later date, although there is uncertainty as to when he joined.

73 See motion of Cooper and Leeming, Second Annual Report, Grand Orange Lodge Records (P.E.I.), 1863, p. 15.

74 The Colonial Secretary led the Government throughout the discussions of the Orange Bill. Grand Master Kaye appears to have said nothing at all on the subject.

75 But Pope was unable to divulge this knowledge. See Dundas to Newcastle, January 31, 1863 (Despatch No. 15), G.O. 226, vol. 98, pp. 66-68; Newcastle to Dundas, March 4, 1863, ibid., pp. 72-73; and Note D, pp. 157-159.

76 Assembly Debates, 1863, p. 39; see 23 Vie., c. 16.

77 Assembly Debates, 1863, p. 39.



after, been equalled in the legislative history of Prince Edward Island. The native-Irish Members<sup>78</sup> interpreted the Grand Orange Lodge Incorporation Bill as public endorsement of the principles of Orangism, and hence a declaration of war. The incorporation of the Order thus became in their minds the ultimate insult, and was to be prevented at any cost. The wisdom of such a strategy is questionable. Incorporation would simply give the Grand Lodge effective means of managing its property. It would not increase the frequency of the Order's public processions, or change the nature of its sentiments. Denial of incorporation would only reinforce the conviction of Orangemen that Roman Catholics would not give their loyal and Protestant association fair play, and that "the same persecuting spirit that formerly characterized the Romish Church remains unchanged."<sup>79</sup> Whatever Orangemen were elsewhere, those of Prince Edward Island were non-violent, and they saw no reason that they as law-abiding citizens should be denied the right of collectively holding and disposing of property, if, as W.H. Pope said, the Roman Catholic Bishop could do so. To the Irish-born Catholics, incorporation meant legal recognition of "our sworn enemies."<sup>80</sup> The impasse was complete.

<sup>78</sup> These were Whelan, Conroy, Kelly, and George Howlan.

<sup>79</sup> See Address of Grand Master Kaye in Third Annual Report, Grand Orange Lodge Records (P.E.I.), 1864, p. 7. This claim of persecution or petty harassment helped rather than hurt Orange membership — the Bill was disallowed in September 1863, and in 1863-64 the number of primary lodges grew from twenty-two to twenty-nine; see ibid., p. 19.

<sup>80</sup> See Conroy in Assembly Debates, 1863, p. 42.

In their actions, the Orangemen may have eschewed physical violence, but their champion in the Legislature, W.H. Pope, was nothing if not violent in debate. He provocatively referred to the St. Bartholomew's Day Massacre and the Gunpowder Plot; he raked up the ashes of John Huss and the martyrs of Smithfield; and, in reference to the Confessional, he declared that "I had rather see my children drowned in the Hillsborough [River] than be subjected to such polluting influences."<sup>81</sup> The Opposition replied in kind: Warburton and George Howlan attacked Pope's personal irreligion,<sup>82</sup> and Coles pictured the Brethren as libertines: "it was a well-known fact that Orangemen upon the Island would not, and did not hesitate to seduce Catholic girls, and afterwards refused to marry them."<sup>83</sup> Furthermore, a Roman Catholic clergyman had been "grossly insulted at Brackley Point by Orangemen."<sup>84</sup> Pope countered with references to "lecherous old Popish priests."<sup>85</sup> Personal and institutional abuse crossed the floor, and the nadir was reached when Howlan accused the Colonial Secretary of having said outside the House

<sup>81</sup> *Ibid.*, pp. 46, 50, and 57. Ironically, W.H. Pope's eldest son Joseph, who was later Sir John A. Macdonald's Secretary, became a Roman Catholic convert in 1873, at the age of twenty-one; see Maurice Pope, *The Memoirs of Sir Joseph Pope* (Toronto: 1960), p. 25.

<sup>82</sup> *Assembly Debates*, 1863, pp. 40, 43, and 55.

<sup>83</sup> *Ibid.*, p. 51.

<sup>84</sup> *Ibid.*, p. 58; this writer has come upon no other reference to such an incident. In 1861, "An Act to Prevent Congregations being disturbed or disquieted during the Performance of Public Worship" (24 Vic., c. 17) had been passed to prevent the most flagrant incidents.

<sup>85</sup> *Ibid.*, p. 56.

"that a Catholic woman going to confess to a priest was the same as taking a mare to a stallion."<sup>86</sup>

The Bill passed on straight party votes,<sup>87</sup> as Premier Gray endorsed the principle that "when a large body of Her Majesty's subjects desired legislation to enable them to manage certain property, their request was entitled to consideration by this House."<sup>88</sup> The general Government view was that denominational animosities could hardly be worsened by the Bill — "for is it not a fact that feelings of this kind have been rife for several years?"<sup>89</sup> Although passed by two chambers of the newly-elected representatives of the Island electorate, the Orange Incorporation Bill never became law. On 29 April, Coles, Whelan, McGill, and Bishop MacIntyre addressed a large meeting at the Catholic Young Men's Literary Institute, which resulted in an 11,500-name petition being sent to Newcastle, praying for disallowance of the

<sup>86</sup> Ibid., p. 55; Howlan on 20 March read aloud a note from Pierce Gaul of Montague, dated the previous day, to the effect that Pope had used this expression in the presence of William McGill and himself. The Colonial Secretary replied that his metaphor had been meant to reflect upon the mind of the priest and the institution of the Confessional, and was not intended as a slur upon Roman Catholic ladies. He then read aloud in Latin a tract by a Saint on the alleged obscenities involved; ibid., p. 56.

<sup>87</sup> Assembly Journal, 1863, pp. 52, 138, and 168; the divisions were 15-12, 14-12, and 16-10, respectively, on the various motions concerning the Bill. Of course, the 'party vote' also represented a 'religious vote,' in the sense that all the representatives of Roman Catholic districts voted 'against,' and those of Protestant districts 'for.' In the Legislative Council, the four Liberals (two Catholics and two Protestants) entered a Protest against the Bill in the Journal; see Legislative Council Journal, 1863, p. 100.

<sup>88</sup> Assembly Debates, 1863, p. 53.

<sup>89</sup> See Frederick Brecken in ibid., p. 45. It is difficult to understand what prompted an intelligent Liberal like Thornton to state as an objection to the Bill that "the country is now quiet, and ought to be allowed to remain so"; ibid., p. 44. Lieutenant Governor Arthur Gordon of New Brunswick wrote to Newcastle that "the exasperation and bitter feelings already existing can hardly be increased"; Island politics were "too absurd"; Gordon to Newcastle, June 23, 1863, Newcastle Papers, Correspondence, pp. 211-212, Gordon had just returned from a visit with Dundas.

Act.<sup>90</sup> In September 1863 the Duke rendered his decision: he could not recommend the giving of the royal assent, for the Orange Lodges were of "a class of institutions which all experience has been shown to be calculated [if not actually intended] to embitter religious and political differences, and which must be detrimental to the best interests of any Colony in which they exist."<sup>91</sup>

Overshadowed by the uproar concerning Orange Incorporation were several important changes in the educational system of the Island. 'Free education' was abolished, a system of grammar schools was established, a second School Visitor was appointed, and the French Acadian schools and teachers were to be subject to the same requirements as the other district schools and teachers. It was generally thought that the public educational system had deteriorated in recent years. Tories blamed the principle of 'free education,'<sup>92</sup> and Liberals attributed

90 See report of the meeting in Vindicator, May 1, 1863; a week earlier, its editor had declared that "all those who will not, at this important juncture, join with their Catholic fellow-Christians must be regarded as their sworn enemies"; ibid. April 24, 1863. He also likened Dundas's act of assenting to the Orange Bill to that of "a cowardly culprit being led to the gallows, or...some poor wretch signing his own death-warrant"; ibid. Although no statistics are available, the promoters of the petition claimed that substantial numbers of non-Roman Catholics were among the signers.

91 Newcastle to Dundas, September 26, 1863, C.O. 226, vol. 98, pp. 375-376. Newcastle had once in the 1840's been Chief Secretary to the Lord-Lieutenant of Ireland, which may partially explain his dislike for Orangism. Whelan had asserted that the Orangemen knew the Duke would reject the Act, and that they therefore only introduced the Bill to accentuate already-existing strife; Assembly Debates, 1863, p. 45. There is no evidence of substance to support this allegation. See Note E, p. 160.

92 Y. supra, pp. 31-32 and p. 31, n. 26.

the regression to Government mismanagement in general, and School Visitor John Arbuckle<sup>93</sup> in particular.

"Education without taxation we can no longer have. We have had it long enough,"<sup>94</sup> declared the Islander. John Longworth, the Executive Councillor most interested in education, explained that the Government grant to each district would be reduced by fifteen pounds; but this would not lower teachers' salaries, he said, because the district would be expected to tax itself for the final fifteen pounds. The cost of the present system was too onerous: of the Colony's £42,000 in revenue, £16,000 went into 'free education.' This plan would both effect a public economy and revive the flagging interest of parents in education, as their paying for the system directly would make them more appreciative of its existence, and more eager to partake in its benefits.<sup>95</sup> Most members of the press were too busy writing invective for or against the Orange Bill to take much cognizance of this very considerable step, backwards. The Islander supported the change, but the Protestant<sup>96</sup>

93 V. supra, p.65.

94 Islander, March 13, 1863. These sentiments were not new to Mr. Pope: see ibid., March 22, 1861, and February 7, 1862.

95 Assembly Debates, 1863, pp. 75, 76; the Treasury allowance would be cut from fifty to thirty-five pounds, from fifty-five to forty, and from sixty to forty-five, depending upon the class of license held by the teacher.

96 Protestant, March 21, 1863. Laird said in the same number that he would endow S.D.C. before disendowing P.W.C., were the choice presented to him. He had a genuine interest in education, and always put considerable thought into his reviews and analyses of School Visitors' Reports. Laird had expressed similar sentiments in ibid., December 20, 1862.

and Ross's Weekly<sup>97</sup> dissented. Both journals pleaded for a higher land tax rather than a reduced investment in education. Their efforts were in vain. The amendment passed by a vote of fourteen to eleven.<sup>98</sup>

The provisions for grammar schools met little objection: Prince of Wales College had suffered from a lack of adequately-prepared students in its first years,<sup>99</sup> and it was hoped that a system of intermediary institutions between the district schools and the College would bridge the gap. Thus grammar schools were established in Charlottetown, Summerside,<sup>100</sup> and Georgetown, the three county seats. Should any common school district be willing to pay part of the extra cost, the Government would establish a grammar school there also.<sup>101</sup>

97 Ross's Weekly, February 26 and March 19, 1863.

98 Assembly Debates, 1863, p. 80.

99 In the past year there had only been fifty-three students at P.W.C., whereas the average at the Central Academy for its last few years had been over 100; see Coles in ibid., p. 70.

100 William Monk became Master of the Summerside Grammar School; he had been discharged from P.W.C. after two years' service, when Mr. Alexander Anderson arrived from Scotland in late 1862. Upon leaving Prince of Wales, he had attempted to establish a private college in competition with P.W.C. He left P.E.I. in 1864, after a sojourn of eight years. See Minutes of the Executive Council, December 23, 1862, and November 3, 1863; also Monk's advertisement in Examiner, January 5, 1863.

101 See Longworth in Assembly Debates, 1863, pp. 70, 76. The grammar school teachers were to be paid at the rate of £100 per annum. These "connecting links" had been suggested by Arbuckle in his Report of the previous year; see Assembly Journal, 1862, Appendix DD, dated 24 February 1862, p. 3.

The proposal to have two School Visitors instead of one was more politically-sensitive. Mr. Arbuckle, a prominent Orangeman<sup>102</sup> and Temperance lecturer, had made few friends during his tenure in office. His reports were slovenly productions and his statistics, if any, were chronically unsatisfactory. Teachers who were so inclined could relax on the job, secure in the knowledge that there was no Mr. Stark to arrive at the school-house when they stayed home without due cause, or to rigorously criticize their teaching methods and results.<sup>103</sup> If anything, Arbuckle, who in 1863 was sixty-six years of age, was becoming less conscientious in the performance of his duties. By 1862, even Government members such as Col. Gray and Alexander Laird Sr. were complaining of his extreme tardiness in presenting his Report.<sup>104</sup> In 1863, the Government was plainly fed up.<sup>105</sup> Frederick Brecken stated that Arbuckle "had become a politician,"<sup>106</sup>

102 Whelan called Arbuckle the Grand Orange Lodge's "Pimp, Tattler, Travelling Agent, and General Flunkey"; see Examiner, May 4, 1863.

103 Warburton claimed that Arbuckle had not visited some schools once since his appointment in 1859; see Assembly Debates, 1863, p. 73. Even Coles was becoming nostalgic about Stark's efficiency; see ibid., p.80; also y. supra, p.14, n.46. For a brilliantly satiric review of one of Arbuckle's Reports, see Examiner, October 6, 1862.

104 Assembly Debates, 1862, p. 118; also Minutes of the Executive Council, May 6, 1862.

105 See Longworth and Premier Gray in Assembly Debates, 1863, pp. 72, 73.

106 Ibid., p. 73; although the Visitor was one of their own supporters, the Conservatives evidently believed he would be more useful if he did the work he was paid for.

and two Government supporters, including one Executive Councillor, moved that his Report not be printed, because of its statistical deficiencies.<sup>107</sup> Thus there was no dissent when William H. Buckerfield became 'School Visitor for Western Prince Edward Island,' leaving Arbuckle with the Eastern Section.<sup>108</sup> The only objection was that the latter was left with any responsibilities to fulfil — or neglect.<sup>109</sup>

Of the educational changes made in 1863, the abolition of the Acadian Schools as a separate category was the one most charged with denominational significance.<sup>110</sup> Their existence as such, with their particular sectarian privileges, had provoked the criticism of the Board of Education in 1860 and the Orangemen in 1862.<sup>111</sup> In the wake of the election of 1863, the criticism was renewed — the Monitor said that £980 were being spent to teach children from books "essentially 'Romish' in character."<sup>112</sup> The Islander also complained of "this sort of edification being indulged in at the public expense," and went on to declare that

107 See J.C. Pope and Alexander Laird Sr. in ibid.; also the Government's reprimand of Arbuckle in Minutes of the Executive Council, April 23, 1863.

108 Ibid., April 23 and May 23, 1863.

109 See e.g. Examiner, May 4, 1863.

110 See Note F, pp. 161-162.

111 Y. supra, pp. 66-67; p. 66, n. 47; and p. 131, n. 31.

112 Monitor, March 5, 1863; this was counting twenty-eight schools at a cost to the Treasury of thirty-five pounds each. See Note F, pp. 161-162.



the French inhabitants of this Island have no right to expect to be educated in the French language — they have no claims upon the Government — they are the descendants of prisoners of war who secreted themselves in the woods of this Island.... They are, and we presume they will ever remain, alien in creed; but there is no valid reason why the Government should encourage them to remain alien in language.<sup>113</sup>

Yet in the Assembly, no mention was made of language-rights, for although the French Acadians who desired to teach under the Act would have to attend the Normal School, which was conducted entirely in English, there was no apparent attempt to proscribe French as a medium of instruction. The new Act would simply mean better-qualified and better-paid<sup>114</sup> teachers in the Acadian districts, and the end of the denominational privileges enjoyed, under law, by the Bishop since 1852.<sup>115</sup> Thus the Act would result in better schools for the Acadians, the only problem being that future teachers would have to prove their competence in English, at the Normal School, before being licensed — to teach in French. Hence Coles and Howlan fully agreed with the decision to abolish the distinctive 'French Acadian' category of schools.<sup>116</sup>

<sup>113</sup> Islander, March 13, 1863.

<sup>114</sup> From 1860 to 1863 Acadian Teachers received only thirty-five pounds unless they wrote and passed a Board of Education examination, which some took. See Minutes of the Executive Council, June 30, 1877; also Vindicator, March 27, 1863.

<sup>115</sup> 15 Vic., c. 13, ss. 39, 51; a mild attempt in this direction had been made in 1860, by giving the Board certain discretionary powers. This seems to have been ineffective. See Note F, pp. 161-162.

<sup>116</sup> Assembly Debates, 1863, pp. 77, 78; they are the only Liberals whose words on the subject are recorded. Howlan's constituents included many French Acadians.

The 'religious question' lost its fervour over the summer of 1863. During the Session it had reached a peak in intensity from which a decline was inevitable. The ebb in tension was rapid. No issues remained to become excited about. The French schools were secularized and Arbuckle was relieved of one half of his authority. The Orange Order still lacked incorporation, but everyone knew it would be futile to raise the issue again in the near future. St. Dunstan's College was not yet endowed, but neither the Bishop nor the Rector planned to ask Premier Gray or W.H. Pope for aid, as they had in 1861. Dialogue had become nil, and with it the chance of friction developing. There would be no election in the next four years, and, as Edward Whelan put it, "no man will be knave or fool enough to raise an alarm about Catholic ascendancy, when the Catholics are politically trampled underfoot."<sup>117</sup> The fire had burned itself out.

<sup>117</sup> Examiner, February 16, 1863.

## NOTES

Note A. The Revelations of September and October 1862. Although a detailed account of the controversy is not germane to our narrative, a brief outline is in order. After Whelan accused Pope of telling certain Roman Catholic clergymen in 1861 that the Government desired to endow St. Dunstan's, the Colonial Secretary wrote a short note denying the allegation. Whelan then wrote to Fr. Angus MacDonald for confirmation. The latter in turn wrote to Bishop MacIntyre, who said that Pope had indeed given him to understand that this was the intention "of the majority of the Government". In the same number of the Examiner, Father Angus implicated Premier Palmer and Lieutenant Governor Dundas as well, and published Newcastle's Despatch of 23 August 1862.

This was tantamount to a declaration of war. William Pope then gave his full version of the events in question, and claimed that he had made it clear to the Bishop that he was expressing only his personal views, and that S.D.C. must be secularized; that it was the Bishop, and not himself, who had initiated discussion of a grant to S.D.C.; and that upon realizing the futility of the negotiations, the Bishop had promised to do all in his power to defeat the Government at the next general election. Father Angus replied by bringing forth more details, implicating Col. Gray, and producing a letter from Daniel Brennan, a prominent Roman Catholic layman, concerning a conversation he (Brennan) had had with the Colonial Secretary in 1861, relative to a grant for S.D.C. Mr. Pope answered by pointing out that none of his major contentions

had been contradicted by Brennan's letter or denied by Father Angus and Bishop MacIntyre. He then challenged the Bishop to "authorize the Rev. Angus MacDonald or any other person, to say that Mr. Pope introduced the subject of the grant to St. Dunstan's. Mr. Pope believes he will not." He did not. The final move by Whelan and Father Angus was to cite sections of a letter of Nicholas Conroy in support of their version of the negotiations which neither had witnessed (for Conroy's role, v. supra, p.99 and p.99 , n. 21); the letter in question was allegedly addressed to the Bishop. Pope replied for the last time: Conroy's words did not contradict his (Pope's) account of his discussions with Bishop MacIntyre. He would answer Conroy in detail when his letter appeared in full (it never did). Pope then administered the coup de grâce by addressing four questions to Bishop MacIntyre, to be answered by him or someone designated to him (v. supra, p.124-125 and p.125, n. 9 ). They went unanswered, and must be assumed to be unanswerable, for the Bishop and the Rector had shown no hesitation, a month earlier, in replying to the Colonial Secretary.

These disclosures never did expose the complete stories behind the Board of Education and Normal School failures of the Palmer Government in its relations with the Roman Catholics (v. supra, pp. 94-98 ). Pope at one point said that he would not deal with these problems until the St. Dunstan's question had been disposed of. When the revelations concerning St. Dunstan's had all been made, people seemed to forget about the Normal School and the Board of Education. Thus the account

of Father Angus was never contradicted, and must be assumed to be accurate in substance. In any case, the Rector was here reporting conversations to which he had been a party.

The sources for this Note are the following, and should be read in this order and in full: editorial in Islander, September 19, 1862; editorial in Examiner, September 22, 1862; letter of W.H. Pope, dated September 24, 1862, in Islander, September 26, 1862; Fr. Angus MacDonald to the Editor of Examiner, dated September 27, 1862, in Examiner, September 29, 1862; editorial in ibid.; Edward Whelan to MacDonald, dated September 26, 1862, in ibid.; MacDonald to Whelan, dated September 29, 1862, in ibid.; MacDonald to Bishop MacIntyre, dated September 29, 1862, in ibid.; MacIntyre to MacDonald, dated September 29, 1862, in ibid.; editorial in Monitor, October 1, 1862; signed editorial of Pope in Islander, October 3, 1862; editorial in Protestant, October 4, 1862; open letter of Pope to MacDonald, dated October 3, 1862, in ibid.; editorial in Examiner, October 6, 1862; MacDonald to the Editor of Examiner, dated October 4, 1862, in ibid.; MacDonald to Daniel Brennan, dated October 4, 1862, in ibid.; Brennan to MacDonald, dated October 4, 1862, in ibid.; editorial in Monitor, October 8, 1862; signed editorial of Pope in Islander, October 10, 1862; editorial in Examiner, October 13, 1862; editorial in ibid., October 20, 1862 (including portions of Conroy's letter to MacIntyre, with no date given); and letter of Pope, undated, in Protestant, October 25, 1862.

Note B. Fr. John C. MacMillan as secular historian. MacMillan's version of the St. Dunstan's negotiations of 1861 and their exposure in 1862 (History of the Catholic Church in Prince Edward Island from 1835 to 1891, pp. 231-235) casts grave doubt upon his reliability as a secular historian, and, as the sole published secondary account of these events, must be challenged. He apparently only read, or at least only credited, material appearing in the Examiner. Drawing exclusively upon MacMillan, one would infer that publication of the Bishop's letter to Father Angus, dated 29 September 1862, the text of which contained ninety-nine words, virtually ended serious discussion. As far as MacMillan is concerned, "Father Angus came forward with a statement of facts that could neither be doubted nor gainsaid," and the Bishop's letter served "to push the matter beyond all cavil."

Pope's reply that his efforts were conditional upon the secularization of S.D.C. is dismissed by MacMillan as a "new view of the case, now heard for the first time, and no doubt invented to cover Mr. Pope's inglorious retreat." Aside from the fact that the Colonial Secretary did not retreat an inch, except on one detail (Y. supra, p.124 , n.8 ), had MacMillan troubled to read the Islander for these years, he would have noticed the following editorial comment, of 13 September 1861: "if St. Dunstan's College were placed under the same supervision, and subject to the same rules, as the Prince of Wales College, there would be no objection on the part of many Protestants to aid it with a public grant." Indeed, in Pope's "grand aim" editorial (Y. supra, p.123 ),

which had begun the spate of disclosures on 19 September 1862, he had stated that

If St. Dunstan's College were subject to the same laws as the Prince of Wales College, if it were not under the control of the Romish Church, the question of endowment would be one which many Protestants would regard simply as a matter of pounds, shillings, and pence. But St. Dunstan's is a Theological Institution, founded chiefly for propagating the Roman Catholic faith, and Protestants will not consent to vote public money for the education of Roman Catholic Priests.

Hence Pope, in his signed editorial of 3 October, hardly enunciated this condition for the first time: he had done so as long as a year ago, and as recently as two weeks earlier. MacMillan's account of the breakdown of the negotiations of 1861 is similarly garbled: it appears that to him, the alertness of Roman Catholics, and not the intransigence of Protestants, caused Pope to fail in his object. MacMillan also leads one to believe that after the Bishop's letter, Pope and the Government avoided challenging him. Nothing could be further from the truth: Pope repeatedly dared Bishop MacIntyre to contradict his (Pope's) version of the negotiations (e.g. Y. supra, pp. 124-125, and p. 125, n. 9, and Note A, pp. 151-152). MacMillan chooses to ignore this, and all other evidence in conflict with the insinuations and assertions of Whelan and Father Angus.

Note C. Presbyterians and the Presbyterian Pastoral. The main opponent of Mr. Sutherland was the Rev. James Allan, who had been absent on 14 October 1862. Mr. Allan, in a letter which appeared in the Protestant of 3 January 1863, said the Pastoral was "highly injudicious," and that he "must disclaim all connection with it." It was he who had originally broached the subject of the St. Dunstan's endowment to the United Presbytery on 2 September 1862, suggesting that they take a stand. But the Pastoral had far exceeded the limits to which Allan would have it confined. Hence he denounced it as politically-charged and religiously offensive. Mr. Sutherland answered in the Protestant of 10 January 1863, which does not survive. The effect was to bring two more Presbyterian clergymen, the Revs. Messrs. Robert Laird and W.R. Frame, out in support of Allan, who also replied to Sutherland. He castigated the latter as "a tool of a political faction," and charged him with "prostituting his ministerial influence." Allan even went so far as to state that Sutherland's political bearings were "pretty substantial on his private interests."

Mr. Sutherland replied in kind, hinting that Mr. Allan's record on the Bible Question left something to be desired. Unless the epithets used by Allan were withdrawn, "I cannot allow it to pass without a civil prosecution." Three days earlier, on 28 January, Sutherland had brought Allan's original words (in the Protestant of 3 January) to the attention of the Presbytery, which had declared Allan in the wrong, and ordered him to withdraw the term "highly injudicious." Apparently, Sutherland had not seen Allan's latest letter when he brought the dispute before the Presbytery.



Mr. Allan responded on 7 February by apologizing, but also managed to defend by implication the late Bishop MacDonald's letter of 7 November 1856. He felt that he was being "victimized by a vulgar clamor, such as that which assailed the late Catholic Bishop, whose phrase 'godless education' has ever since constituted the great fund of electioneering clap-trap....The Bishop did not demand a godless education more than I do. And I regard with foul scorn who says that I do." More controversy of course arose out of this letter: Mr. Sutherland attacked Allan, and Mr. Frame returned to the battle, satirically dissecting the letter in which Sutherland had threatened Allan with a civil action. However, the latter soon added — as a defense of his orthodoxy — that he had heartily supported the establishment of the Protector in 1857. This was not enough for the Presbytery, which On 25 March again censured Allan, and closed the unpleasant affair.

The press followed the dispute with interest. The Monitor's staff disapproved of Mr. Allan, who was known to be unfriendly to Orangeism. Under the heading "The Reverend James Allan and his Romish Admirers," they counselled: "Let Mr. Allan beware. Rome praises him now — for a purpose....They will encourage him, by their hollow praise, to write what is pleasing to them and damaging to the interests of Protestantism." Whelan cheered Allan on: "Master Geordy" was a "boasting, bullying tool of the Government." David Laird, on the other hand, was dismayed to see pastors of his own church quarrelling publicly. See letters of Allan in Protestant, January 3 and 24, and February 7, 1863, and Examiner, March 23, 1863; letters of Frame in Protestant, January 24 and February 14,

1863; letter of R. Laird in ibid., January 24, 1863; letters of G. Sutherland in ibid., January 31 and February 14, 1863; Minutes of the United Presbytery (P.E.I.), September 2, 1862, January 28 and March 25, 1863; and the editorials in Monitor, February 5 and 12, 1863; Examiner, February 2, 1863; and Protestant, January 24 and February 7, 1863. For Allan's opinion of the Orange Lodges; see Allan to Newcastle, July 13, 1863, enclosed in Dundas to Newcastle, August 5, 1863, C.O. 226, vol. 98, pp. 373-374.

Note D. Fr. Angus MacDonald and the Colonial Office. Father Angus was not satisfied with the victory he had claimed on 27 September 1862 (y. supra, p. 120, n. 90). In the third week of January 1863 he sent another letter to Newcastle, in which he corrected the latter's assumption that W.H. Pope had been elected and was sitting in the Legislature (y. supra, p. 118). It was J.C. Pope who was M.H.A. and Executive Councillor. Father Angus stated that the Colonial Secretary "still continues to publish letters full of the coarsest insults to Catholics." In addition, the Rector insinuated a connection between Dundas and the growth of Orangeism, and between the Volunteer Movement and Orangeism.

The Colonial Office was not sympathetic: T.F. Elliott's marginal note said "this Priest is more of a fire-brand than a peace-maker in the Island." Newcastle wrote that

Govr. Dundas informed me in a private letter that Mr. Pope (word illegible) on his promise that he would write no more if Mr. MacDonald would 'leave him alone', — but, that Mr. MacD challenged him in a paper called the Vindicator to renew the contest. — This clearly puts the priest in the wrong, and I shall interfere no further.

Father Angus had worn out his welcome at Downing Street, and in a private letter the Duke referred to him as "a quarrelsome Priest." His official reply informed the Rector that the erroneous information in his Despatch of 23 August 1862 "in no way affects the substance... and I have no [further] observation to make."

W.H. Pope, aware of Father Angus's renewed attempts to displace him, was determined to make the most of it. Indeed he would have read the Rector's letter to Newcastle from the hustings had Dundas permitted it. But the Governor wished to minimize the religious tensions on the Island, and this was no way to do it. Newcastle fully agreed with Dundas, and the endeavours of Father Angus did not become public. Frustrated in his attempt to make direct political capital out of the letters, Pope became more vigorous than ever in his attacks upon Roman Catholic doctrines and institutions, now that he was in the House of Assembly.

In late April 1863, Father Angus again took up his pen, this time to protest the "mare to stallion" remark which George Howlan had attributed to the Colonial Secretary (v. supra, p.142 and p. 142, n. 86 ). The Rector asserted that these words had been uttered by Pope in the House. First he wrote to Dundas and stated that

Should Your Excellency deem it proper not to manifest your disapprobation of such abominable expressions by dismissing Mr. Pope from the Executive Council and from the office of Colonial Secretary, or by some other means, you will not, I presume, complain should the Catholic population, forming seven-sixteenths of those whom you govern, regard Your Excellency as a warm approver of the coarse insults offered to them by a member of your Government.

When the Lieutenant Governor referred him to Newcastle's Despatch of 23 August 1862, he then wrote to the Colonial Office, complaining of Dundas, as well as of W.H. Pope. Newcastle's reply was simple: "I cannot interfere."

Thus, Father Angus, having lost his public argument with W.H. Pope, over the nature and circumstances of the S.D.C. negotiations of 1861 (v. supra, pp. 123-125 and Note A, pp. 150-152), had again written to Downing Street, making himself in the process a thorough persona non grata: to Elliott, he had become "that unscrupulous ecclesiastic." As for the Colonial Secretary, he emerged unscathed.

The following are the sources for this Note: Dundas to Newcastle, January 17, 1863, C.O. 226, vol. 98, pp. 29-35; Elliott's marginal note, February 4, 1863, ibid., p. 35; Newcastle's marginal note, February 7, 1863, ibid., pp. 35-36; MacDonald to Newcastle, January 12, 1863, ibid., pp. 37-38; Newcastle to Dundas, February 21, 1863 (private), Newcastle Papers, Letterbook B-4, pp. 81-82; Newcastle to Dundas, February 10, 1863, C.O. 226, vol. 98, p. 39; Dundas to Newcastle, January 31, 1863 (Despatch No. 15), ibid., pp. 66-68; Newcastle to Dundas, March 4, 1863, ibid., pp. 72-75; Dundas to Newcastle, April 27, 1863 (Despatch No. 39), ibid., pp. 221-222; MacDonald to Dundas, April 7, 1863, ibid., pp. 223-224; George D. Atkinson (Private Secretary to Dundas) to MacDonald, April 8, 1863, ibid., p. 224; MacDonald to Newcastle, April 18, 1863, ibid., pp. 223-227; Newcastle to Dundas, May 13, 1863, ibid., pp. 229-230; Elliott's marginal note, May 11, 1863 (affixed to Despatch No. 39, Dundas to Newcastle, April 27, 1863), ibid., p. 223.

Note E. The decision to disallow the Orange Incorporation Act.

Besides the monster petition, Bishop MacIntyre sent a letter to Newcastle, in which he expressed a fear that "very great discontent," possibly leading to "a serious disturbance of the peace," would result from the Bill's becoming law. New Brunswick's Lieutenant Governor, Arthur Gordon, wrote twice to the Secretary for the Colonies, the burden of his argument being that since "what passes in one of these provinces affects the others," Newcastle should recommend the withholding of the royal assent, for local Roman Catholics were becoming upset at the prospect of Orange Incorporation in neighbouring Prince Edward Island. He added that "you have certainly no reason to look with favour on North American Orange Lodges." Dundas himself expressed "my extreme regret that a measure for its [the Grand Orange Lodge's] Incorporation should have been unnecessarily introduced into the Legislature... [being] naturally obnoxious to so large a proportion of the Colonists... [and] calculated to give rise to so much bad feeling." Newcastle seems also to have been concerned not to set a precedent by letting the Bill pass.

See Dundas to Newcastle, April 27, 1863 (Despatch No. 43), C.O. 226, vol. 98, pp. 245-246; MacIntyre to Newcastle, April 27, 1863, enclosed in ibid., pp. 247-248; Newcastle's marginal note, May 13, 1863, ibid., p. 247; Gordon to Newcastle, May 11, 1863 (private), Newcastle Papers, Correspondence, pp. 209-210; and Gordon to Newcastle, June 23, 1863, ibid., pp. 211-213.

Note F. French Acadian Schools and Teachers to 1863. In 1852, the Liberal Government provided for French Acadian Schools, in which the teacher would instruct in French. His capability of doing so would be certified by the local parish priest, "of whose congregation the said Teacher shall be a member." The priest also had to ascertain whether the instructor could read and write English. Albeit subject to the inspection of the School Visitor, the teacher was in effect licensed by the Church, rather than the Board of Education. Although the Board was given discretionary power to withhold the Treasury allowance from any district not observing and adopting the prescribed books, regulations, and system of education, the Acadian Schools do not appear to have been harassed. In 1856 Stark reported 781 children enrolled in such schools.

These arrangements remained largely unchanged throughout the 1850's, excepting that after 1854 Acadian Teachers were required by law to open English classes in reading, writing, and arithmetic. Again, this was probably unenforced and unenforceable. However, the salaries for such teachers did not rise above forty pounds, which was lower than for the English-language teachers. In 1860 an incentive was provided for Acadian Teachers to take the Board examination, as their salaries would be raised to the level of English-language teachers with corresponding qualifications, should they be successful. If they failed, or refused to take the examination, their salaries would be reduced to thirty-five pounds, although they could continue to teach. It is not recorded how many of the twenty-five to thirty Acadian Teachers successfully attempted to gain a Board license. Otherwise there was no change: the teacher was required to be a member of the local Roman Catholic congregation, whose priest had to certify his ability to teach classes in French, and to read and write

English.

All this was altered by the Education Act of 1863. Under its provisions, the teacher could presumably be of any denomination, needed no certification of his ability to teach in French, and was required to attend the Normal School. In other words, he was fully integrated into the existing system. See James C. Miller, National Government and Education in Federated Democracies: Dominion of Canada (Philadelphia: 1940), pp. 101-104; Minutes of the Executive Council, June 30, 1877; Assembly Journal, 1856, Appendix Q, p. 1 (Stark's Report); and 17 Vic., c. 3, s. 23.

## PART III

## "The Breakdown of Parties"

1863-1870

(thesis)

The 'religious question' declined in importance throughout the five years following 1863, and at times seemed to have totally disappeared. All the noise in these years arose from the Land Question and the issue of Confederation. The new and radical Tenant League, whose members were pledged to refuse payment of rents, caused such disorders that troops were called in in 1865. While the Land Question thus made the Conservatives unpopular, Confederation broke them into two hostile camps: Confederates and Anti-Confederates. Together these two issues brought the Liberals back to power in 1867. But the illusion that 'religion and education' had dissolved as a force in Island politics was shattered in 1868, when Bishop MacIntyre and the out-of-office Tories raised the question of public aid to the Bishop's denominational schools. When the Liberals refused, and not even the Roman Catholic population seemed to be eager for such a change in Government policy, the 'School Question,' as it was becoming known, again faded out of sight. It remained in obscurity until 1870, when it split the Liberal Party, which had been deprived of the leadership of Coles, Whelan, Warburton, and Hensley, as totally as Confederation had divided the Tories. Although the Liberals won the election of that year, the Roman Catholic Members seceded from the Party, and joined J.C. Pope's Tories to form a government pledged to do nothing about Confederation and the School Question.



## Chapter Seven

As religious differences receded in importance after 1863, the class and ideological divisions consequent upon the Land Question<sup>1</sup> reasserted themselves. In 1864 the Tenant League, sworn to resist collection of rents, arose. The Award of Palmer's Land Commission had been disallowed,<sup>2</sup> and a Government Delegation<sup>3</sup> to Britain during the winter of 1863-1864 failed to win any new concessions for the tenantry. Thus the Leaguers were desperate men, driven to desperate means in the face of what seemed to be an insoluble problem. The leaders appear to have been men of humble origins,<sup>4</sup> but their support was considerable, and in 1864 Ross's Weekly wholeheartedly joined the battle.<sup>5</sup>

The situation reached a peak in intensity when, in 1865, Administrator Robert Hodgson called in troops from Halifax, to guard against serious disorders.<sup>6</sup> The Government took fright and began to systematically purge the ranks of district teachers and magistrates of Tenant Leaguers.<sup>7</sup> While the Tories panicked, the Liberals were not sure what

1 Y. supra, pp. 29-30.

2 Y. supra, p. 72 and p. 72, nn. 2 and 3.

3 Edward Palmer and William Pope were the Delegates.

4 Governor Dundas privately described one as "a wild Chartist" from England; see Dundas to Arthur Blackwood, June 6, 1864 (private), C.O. 226, vol. 100, p. 230.

5 See Ross's Weekly, July 7, 1864, for its platform.

6 See Hodgson to Edward Cardwell, August 2, 1865, C.O. 226, vol. 101, pp. 329-339. Hodgson was the Island's Chief Justice, and served as Administrator while Dundas was absent in Britain.

7 See Minutes of the Executive Council, August 1, 14, September 19, October 7, November 13, December 12, 19, 1865, and February 20, 1866.

position to take. Whelan strongly opposed the League and became hated by its members, who were mostly drawn from the Liberal Party. Nonetheless, the strong personality of George Coles kept the Party united despite a growing division between the 'Old Liberals' and the new radicals.

When the Confederation issue arose in 1864 and 1865, the Conservatives were not so fortunate.<sup>8</sup> The Island was host to the Charlottetown Conference of September 1864, but Islanders quickly took a dislike to the whole scheme. In spite of this, Premier Gray and William Pope<sup>9</sup> were strong Confederate partisans.<sup>10</sup> The result was a cabinet revolt which caused Gray's resignation from the Executive Council later that year.<sup>11</sup> The Anti-Confederate leader, Edward Palmer, failed in his attempt

8 Short treatments of the entry of P.E.I. into the Canadian Confederation include F.W.P. Bolger, "Prince Edward Island and Confederation, 1863-1873," CCHAR (1961), pp. 25-30; D.C. Harvey, "Confederation in Prince Edward Island," CHR (1933), pp. 143-160; Frank MacKinnon, "Prince Edward Island and Confederation," Guardian, July 10, 11, and 12, 1945; MacKinnon, The Government of Prince Edward Island, pp. 120-140; and James A. Maxwell, "Prince Edward Island and Confederation," DE (1933), pp. 53-60. The most recent and complete work on the subject is F.W.P. Bolger, Prince Edward Island and Confederation, 1863-1873 (Charlottetown:1964).

9 The Colonial Secretary had suggested that a union of the Colonies might serve to submerge the Island's religious antagonisms. See Islander, June 5, 1863; and Assembly Debates, 1864, pp. 33-34.

10 The Island delegation to the Quebec Conference in October consisted of Gray, Palmer, Haviland, Coles, Whelan, W.H. Pope and A.A. MacDonald. Pope became one of the secretaries of the Conference.

11 The details are in Bolger, Prince Edward Island and Confederation, 1863-1873, pp. 90-99. Gray wrote his letter of resignation on 16 December, and it was accepted four days later; see Minutes of the Executive Council, December 20, 1864. Dundas believed the basic causes of the rupture to be "more of a personal than a public nature." See Dundas to Cardwell, December 31, 1864, B.O. 226, vol. 100, p. 469; also Y. MIRA, p. 135.

to gain the Premiership, because William Pope came to the aid of Col. Gray. Pope pursued Palmer with the cold fury and relentless logic which he had unleashed upon Father Angus MacDonald in 1862.<sup>12</sup> Palmer thus did not succeed in his coup. Pope won the argument, but in the longer perspective, Palmer could claim a considerable victory: the Conservative Party would not now lead the Island into Confederation. With this in mind, and aware that public opinion supported Palmer rather than himself and W.H. Pope, Gray refused to resume the Premiership.<sup>13</sup>

A makeshift Government, led by James Pope, took office,<sup>14</sup> but there would be no peace in the Tory Party until 1870. The tension within the Executive Council was considerable: to replace Gray and Palmer, one Confederate and one Anti-Confederate were chosen.<sup>15</sup> The Tory press also split, with W.H. Pope's Islander opposing the Monitor

12 See Note A, pp. 150-152; at issue was Palmer's consistency on the Confederation Question. See Minutes of the Executive Council, December 20, 22, 1864, January 6 and 7, 1865.

13 See James Yeo Sr., John Longworth, David Kaye, James McLaren, and W.H. Pope to Col. Gray, dated January 7, 1865, in Examiner, January 9, 1865; and Gray to Yeo, Longworth, Kaye, McLaren, and Pope, dated January 7, 1865, in ibid.

14 Minutes of the Executive Council, January 7, 1865; J.C. Pope had resigned from the Executive Council on 22 December 1864, leaving William alone to vindicate Gray's position against that of Palmer. Although a capable and forceful man in his own right, James was by nature a compromiser, and less willing than his older brother to make lasting enemies among his colleagues. For a comparison of the differing talents of James and William Pope, v. infra, p. 289.

15 These were T.H. Haviland, M.H.A., and Kenneth Henderson, M.L.C., respectively. Haviland had been Speaker in 1863 and 1864, but resigned after what he felt to be a breach of faith on the part of Premier Gray over the issue of 'pew grants' to various churches. See Haviland in Assembly Debates, 1864, pp. 76, 78; also Assembly Journal, 1863, p. 112. Palmer, Although no longer an Executive Councillor, remained Attorney General.

and the Protestant, who represented the viewpoints of Palmer and David Laird, respectively. For the Liberals, the problem of Confederation was less serious, as Edward Whelan was the only party member of consequence who backed the Quebec scheme. Thus the major effect for them was the further isolation of Whelan within the Liberal Party.

Feuds over Confederation cut across both denominational and party lines: Edward Reilly attempted to usurp Whelan's position as leader of the Irish Catholic Liberals,<sup>16</sup> and among the ultra-Protestants, David Laird took issue with the Rev. George Sutherland, who was an avowed Confederate.<sup>17</sup> Politics indeed made strange bedfellows, as W.H. Pope, Col. Gray, T.H. Haviland,<sup>18</sup> and George Sutherland found themselves allied to Edward Whelan.<sup>19</sup>

<sup>16</sup> See e.g. Examiner, November 21, 1864; editorial in Herald, December 28, 1864; and open letter of Reilly to the electors of Second Kings County, undated, in ibid. Second Kings was Whelan's constituency, and the Herald was Reilly's newspaper.

<sup>17</sup> See editorials in Protestant, February 18, 25, March 18, 25, April 1 and 8, 1865; letters of Sutherland, dated February 18, March 22, 28, and April 6, 1865, in ibid., February 25, March 25, April 1 and 8, 1865; and Sutherland's speech of 10 February 1865, which opened the controversy, published in ibid., March 18, 1865.

<sup>18</sup> According to Coles, Haviland had once "declared himself 'a red-hot Unionist,' upon the terms agreed on at the Quebec Conference"; see Coles in Assembly Debates, 1865, p. 5.

<sup>19</sup> See Whelan to John A. Macdonald, November 23, 1864, John A. Macdonald Papers, Vol. 338, part II, pp. 154610-154612; and Whelan to Macdonald, November 24, 1864 (private), ibid., pp. 154614-154616. Apparently William Pope interceded on behalf of Whelan's request for a grant from Canada in order to publish a narrative of the Confederation discussions.

But for the most part, Island public affairs in these years were dull: in mid-1864 the Examiner declared that "Local politics are at a dead stand at present."<sup>20</sup> The Colonists diverted their energy into other channels, such as the 'temperance' movement. Hence in 1864 the Sons of Temperance reached their peak on Prince Edward Island.<sup>21</sup> This lack of public controversy was reflected in the demise of the 'Education Question.'<sup>22</sup> Little changed in Island education between 1863 and 1867: the pattern appears to have been one of gradual deterioration and falling attendance, as a result of the abolition of 'free education.'

The French Acadian districts presented a unique problem: their special status was abolished in 1863,<sup>23</sup> and the Education Act provided that no common school districts should overlap. When the Acadian Schools had been a virtual law unto themselves, they were not considered to be overlap: i.e. an Acadian School and a common school could exist across the road from each other. Now the Acadian areas were to be fully integrated into the common school system. This created a dilemma: Acadian groups in 'mixed' areas found it impossible to register their schools with the Board of Education.<sup>24</sup> To remove this difficulty, the Government in the

20 Examiner, July 11, 1864.

21 In that year they had 1,541 members on the Island; see John Anderson, "The Sons of Temperance," in MacKinnon and Warturton, eds., Past and Present, p. 199.

22 On 9 February 1865 Orange Grand Master Kaye and Grand Secretary Leeming both noted a decline in the enthusiasm of the Brethren, and a corresponding growth of interest in other societies; see Fourth Annual Report, Grand Orange Lodge Records (P.E.I.), 1865, pp. 6-7. In 1866 three dormant lodges were reported; see Leeming in Fifth Annual Report, ibid., 1866, p. 5.

23 V. supra, pp. 147-148.

24 See discussion by Howlan, John Longworth, Conroy, and Hensley, in Assembly Debates, 1864, p. 50.

Session of 1864 presented two Resolutions, which were agreed to by the House. The preamble to the first Resolution stated that the Anglo-Rustico school district of Lot 24 was "very populous," with the result that one district school was "insufficient." Hence it was resolved that

It is expedient especially to empower the Board of Education to divide or alter the said District in such manner, as they may deem fit and necessary to meet the circumstances of the case, and to establish a second or additional school therein; but the Teacher to be appointed to take charge of such additional School to be a duly licensed Teacher, and he, as well as the Trustees of the School, to be bound to conform in all respects, to the requirements of the Laws relating to Education. <sup>25</sup>

There was no mention of language or sectarian privileges, and the word 'separate' did not appear. A second Resolution provided that

in the case of any other School District in this Island similarly circumstanced with the Anglo-Rustico District as mentioned in the last preceding Resolution, the Board of Education shall have like power to alter the same, and establish therein a second District School, upon the same terms, and subject to the same restrictions as in the said Resolution set forth.<sup>26</sup>

Thus the Government, although carefully avoiding mention of the French language, in effect sanctioned its continuance as a medium of

<sup>25</sup> Assembly Journal, 1864, p. 53. Anglo-Rustico was the name of a district with both British and Acadian residents.

<sup>26</sup> Ibid. These Resolutions were incorporated into the Education Amendment Act of 1864; see 27 Vic., c. 31.

instruction, even in mixed areas, provided enough French-speaking children could be found to warrant the establishment of an extra school.<sup>27</sup> In totally-Acadian districts there appears to have been little difficulty: there were no English-language schools, and hence there was no problem of overlapping boundaries. Nonetheless the Education Act of 1863 did result in less use of French as a medium of instruction in mixed areas: School Visitor William Buckerfield reported that "the most intelligent among the French are fully sensible of the disadvantage under which many of them have labored, from their ignorance of the language in which the business of the country is conducted."<sup>28</sup> From this we may infer that in at least some mixed areas the Acadian parents reacted to the Act of 1863 by simply sending their children to the existing district schools. In any case, the teacher in a school attended by Acadian children was no longer required by law to be able to teach in French.<sup>29</sup> The use of books in schools in Acadian areas was another problem: where in North America could the Board obtain non-sectarian French textbooks? The result was that books such as Le Nouveau Traité des devoirs du Chrétien and L'Histoire

27 Forty children had to be enrolled, and an average attendance of twenty maintained.

28 Assembly Journal, 1864, Appendix N (letter of Buckerfield to the Board, dated 4 December 1863), p. 118. He especially noted this desire on the part of Acadians in the northwestern part of P.E.I.; see ibid. (letter of Buckerfield to the Board, dated 26 August 1863), p. 115.

29 See Note 1, pp. 161, 162.

de l'Eglise continued in common usage.<sup>30</sup>

The Land Question and Confederation determined the election of 1867. The Government suffered from the decision to call out troops against the Tenant League, and the Liberals, although not generally Leaguers, were not proprietors or their agents.<sup>31</sup> The Confederation issue hopelessly divided the Tories: Gray and the Popes<sup>32</sup> did not contest their seats, and mild Confederates such as David Kaye and Daniel Davies were deprived of their party nominations. The Legislative Council election of 19 December 1866 provided a foretaste of what was to come, as the Liberals took five of the six seats at stake,<sup>33</sup> four of which had been Tory in 1863. When the Assembly election was held on 26 February 1867, Coles's Liberals won by a margin of nineteen to eleven.

The composition of Coles's Executive Council reflected the inroads

30 Assembly Journal, 1864, Appendix N (Buckerfield's detailed report), pp. 120-188. For David Laird's reaction to these revelations, see Protestant, November 19, 1864. This aspect of the Acadian Schools problem was not dealt with effectively until the Public Schools Act of 1877 (v. infra, pp. 310, 319).

31 An exception was Robert P. Haythorne, a recently-elected Liberal M.L.C. — but he had gained a reputation for generous treatment of his tenants.

32 W.H. Pope had resigned from the cabinet several months before the election; see Minutes of the Executive Council, June 2, 1866. His letter of resignation, addressed to Dundas, is reprinted in the Islander, July 13, 1866.

33 This victory gave the Liberals a margin of seven to six in the upper house. The only Liberal to suffer defeat was James Warburton, who lost to James Yeo Sr.; Warburton had resigned from his seat in the Assembly to oppose Yeo. Although Warburton never again ran for elective office, Coles appointed him Colonial Treasurer in 1867.



which the Tenant League had made within the Liberal Party: three<sup>34</sup> of the nine were known to hold radical views on the Land Question. Whelan especially had suffered from this division, and the radical Liberal Members were not disposed to return the Queen's Printership to him.<sup>35</sup> Nonetheless, the Old Liberals won this test of strength, and Whelan was restored to his public office. The difficulty was that the acceptance of this office obliged him to resign his seat in the Assembly, and to contest it again. Although he had won in 1863 by a margin of eight to one, and had not lost an election in twenty-one years, he lost to Edward Reilly in the byelection. Whelan nevertheless remained Queen's Printer, for Reilly refused to accept the post on the condition of running for re-election.<sup>36</sup>

There is no single cause or explanation for Whelan's defeat.

<sup>34</sup> These were Benjamin Davies, Henry J. Callbeck, and Alexander Laird Jr. The latter was the elder brother of David Laird. In early 1868 Davies left the Coles Government, because he felt it was moving too slowly on the Land Question; see Dundas to Buckingham, May 7, 1868, C.O. 226, vol. 104, pp. 262-263.

<sup>35</sup> Examiner, March 18, 1867; and Summerside Progress, March 25, 1867. Peter Sinclair, William S. MacNeill, Donald Cameron, and John Balderston (M.L.C.) probably shared these views with the three radical Executive Councillors. Edward Reilly and Thomas Kirwan (editor of the Summerside Progress) were two possible alternatives, and John Ross was the choice of the extremists. When Coles sought re-election upon becoming Colonial Secretary, Ross opposed him and lost 851-25; see Examiner, April 15 and 22, 1867.

<sup>36</sup> Islander, May 3, 1867; see Whelan's challenge, in Examiner, May 6, 1867. Reilly did become Queen's Printer after Whelan's death; see Herald, December 25, 1867. The relevant statute was 11 Vic., c. 29; v. supra, p. 41, n. 64.

His denunciations of the Tenant League and Fenianism<sup>37</sup> had cost him support among his traditional followers, i.e. leaseholders and Irish Roman Catholics. His advocacy of Confederation was equally damaging: in 1867, Anti-Confederacy was a virtual 'test' of fitness for the local Legislature, and Whelan was the only notable heretic in a party which was 'sound' on the issue. In each of these three cases, Reilly had the advantage over Whelan: he espoused the tenants' cause with single-minded vigour, steadfastly and unequivocally opposed Confederation,<sup>38</sup> and was non-committal on Fenianism. Clearly, Whelan was no longer abreast of the sentiments of his erstwhile supporters.

But, for Whelan, the chief cause of his defeat was to be found elsewhere: two days before the election he wrote that "there would not be the shadow of a doubt about the matter if the Catholic electors, who are the majority of the voters, were not subjected to unseen influences that cannot be easily met and overcome."<sup>39</sup> After his loss, he charged that Reilly had "had a most unscrupulous person of a certain clerical 'order' to canvass for him incessantly."<sup>40</sup> He was undoubtedly referring to Father William Phelan of St. Peter's Parish. A friend and partisan of Reilly, Fr. Phelan had recently displaced Father Ronald B. MacDonald

37 See e.g. Examiner, March 12, 1866, in which Whelan called the movement an "infamous conspiracy." For his feeling of isolation within the Liberal Party, see ibid., December 10, 1866.

38 For the Irish Roman Catholics of P.E.I., the word 'union' appears to have dredged up thoughts of the Union of England and Ireland.

39 Examiner, April 15, 1867.

40 Ibid., May 6, 1867.

in Whelan's Parish. Fr. MacDonald "was well known to be a personal friend of Mr. Whelan,"<sup>41</sup> and many believed that his timely removal was a sign of Bishop MacIntyre's disapproval of the Queen's Printer.

The reasons for such disapprobation on the part of the Bishop are obscure but nonetheless important. In the first place, Whelan's advocacy of Confederation had made him an ally of William Pope, the bête noire of Island Catholicism.<sup>42</sup> Secondly, Bishop MacIntyre, like Bishop MacDonald before him, was a crusader for total abstinence from alcoholic beverages,<sup>43</sup> and Whelan, the leading Roman Catholic public man in the Colony, was hardly an exemplar for the masses in this respect. But perhaps most important of all, "A rumour...was in the air, that Mr. Whelan had grown somewhat indifferent in matters of faith, and had been for a time utterly neglectful with regard to the practices of his religion."<sup>44</sup> Thus it seems likely that relations between Whelan and the Bishop were

41 MacMillan, History of the Catholic Church in Prince Edward Island from 1835 to 1891, p. 271.

42 See Whelan to John A. Macdonald, November 24, 1864 (private), John A. Macdonald Papers, vol. 338, part II, pp. 154614-154616; Islander, April 26, 1867, in which Pope complimented Whelan's independence vis-à-vis Confederation and the Tenant League; and Examiner, July 22, 1867, in which Whelan praised Pope's new-found distaste for public processions by Orangemen (see Islander, July 19, 1867).

43 See MacMillan, History of the Catholic Church in Prince Edward Island from 1835 to 1891, p. 304 and pp. 79-92.

44 Ibid., p. 271; also see Whelan's own remarks in Assembly Debates, 1864, p. 57.

tenuous. Indeed, the Vindicator, which appears to have been the organ of the Roman Catholic clergy,<sup>45</sup> had been a conscious rival of Whelan for the attention of Island Catholics. By 1867 Bishop MacIntyre was in all probability mobilizing his forces in order to gain public aid for his educational institutions.<sup>46</sup> Whether Whelan would have supported anything more than a grant to St. Dunstan's College is dubious: he was a founder of the secular Free Education Act, and in 1860 had declared that "clergymen are generally the most incompetent persons in the world to have anything to do with the administration of secular affairs."<sup>47</sup> It is true that in 1851 he had advocated public assistance for a Roman Catholic school in Charlottetown, but it had then become subject to the standard district school regulations.<sup>48</sup>

In any case, Whelan was convinced that his defeat had been owing to undue clerical influence. In September 1867 he noted the failure of Archbishop Connolly's<sup>49</sup> manifesto on Confederation: "We hope that

<sup>45</sup> V. supra, p. 127 and p. 127, n. 15.

<sup>46</sup> Less than one year later, he presented a Memorial to the Coles Government for such assistance; v. infra, pp. 180, 181.

<sup>47</sup> Examiner, December 17, 1860.

<sup>48</sup> This of course divested the school of its sectarian character. See MacMillan, History of the Catholic Church in Prince Edward Island from 1835 to 1891, pp. 95-97. The Treasury grant to 'St. Dunstan's school' began in 1852; classes were held in the former Roman Catholic cathedral; see Assembly Journal, 1851, p. 99; ibid., 1852, p. 121; ibid., 1853, pp. 31, 77, 89, and 91; letter of W.H. Pope, undated, in Protestant, October 25, 1862; W.D. Stewart in Assembly Debates, 1874, pp. 482, 483; testimony of the teacher, Edward Roche, on 27 April 1876, in 'Report of the Parliamentary Committee on Education' (1876), pp. 18, 19; and letter of "Aliquis" in Patriot, July 28, 1876.

<sup>49</sup> Louis T. Connolly had been Archbishop of Halifax since the death of Archbishop Walsh in 1858.

this complete overthrow of His Grace's influence in the political world will be a warning to all ecclesiastics everywhere not to meddle too much in political affairs."<sup>50</sup> On 10 December 1867 Whelan died at the age of forty-three, a broken man. His obituary in the Examiner said that his "mantle, we fear, falls on no man."<sup>51</sup> This was true in two senses: Prince Edward Island was never to know a more talented journalist, and the Roman Catholic Legislators did not for years find a leader of his stature.<sup>52</sup>

Whelan's death almost coincided with the removal from politics of other prominent figures in the religious controversies of earlier years. In May 1867 the Rev. George Sutherland left Prince Edward Island, and immigrated to New Zealand. But the new Government suffered much more grievously than the Tories. Gray and the Popes had only temporarily withdrawn from politics, but the Liberals, with Warburton<sup>53</sup> and Whelan already removed from their ranks, saw the strong mind of George Coles steadily deteriorate, and eventually lose all power of reason. In the Session of 1868 Joseph Hensley was the de facto House Leader of the Government, and in August of that year, Coles requested and received a six months' leave of absence.<sup>54</sup> By 1870 he was unable to take his seat in the House,<sup>55</sup> and although he lingered on until 1875, his career was finished.

50 Examiner, September 23,, 1867.

51 Ibid., December 16, 1867.

52 See Note A, pp. 315-316.

53 I. supra, p. 171, n. 33.

54 Minutes of the Executive Council, August 20, 1868.

55 See Resolution of sympathy to Mrs. Coles and family, in Assembly Journal, 1870, p. 96.

Thus, many of the old faces had disappeared by the time the 'School Question' emerged in 1868. They had been preceded by the familiar journals of religious controversy: the Monitor, Protestant, and Vindicator.<sup>56</sup> New issues, such as Confederation and communications with the mainland,<sup>57</sup> were rivalling religion and the Land Question for the attention of Islanders. David Laird and Edward Reilly responded to the changed conditions of the mid-1860's by founding two new newspapers, the Patriot and Herald respectively, which were more devoted to secular affairs than had been their predecessors. The old religious issues seemed to be dead when the Protestant and the Vindicator, the two papers which had fed upon them, were discontinued.

But 'religion and education' was dormant, not dead. Even in 1866 there was evidence of this: the uncompromising Liberal Protestant secularist, Benjamin Davies, was defeated in a byelection contest against Emmanuel MacEachen, a Roman Catholic Tory. The constituency, which was predominantly Catholic, had returned Hensley over MacEachen

<sup>56</sup> The Vindicator ceased publication in 1864 after it lost a libel suit launched by Joseph Webster, Master of the Normal School. See Vindicator, October 21, November 11, 25, December 23, 1863, January 27, June 15, July 13, 27, August 10, 17, and October 5, 1864. The case was brought against Reilly, as the publisher. The latter date represents the last number of the Vindicator, and in it Reilly published a full apology to Webster.

<sup>57</sup> See Frank MacKinnon, "Communications Between P.E.I. and the Mainland," DE (1949-1950), pp. 182-190.

by a wide margin in 1863.<sup>58</sup> The difference, according to Davies, was that in 1866 the Catholic electors required a pledge of support for the endowment of St. Dunstan's College.<sup>59</sup> This Davies refused to give, and he lost. Whelan disagreed, and said that the main factor in Davies's loss was his non-residence in the constituency, which was at the far eastern tip of the Island.<sup>60</sup> Whoever was correct, the loss was symptomatic of an incipient division within the Liberal Party, and the turning-away of the Roman Catholic electorate from unanimous support of the Liberals.

When Coles came to power, he restored the Free Education Act.<sup>61</sup> The change of 1863<sup>62</sup> had not worked out — the provisions for the final fifteen pounds of the teacher's salary were inadequate and simply resulted in litigation and ill will.<sup>63</sup> The Tories did not oppose the

58 Y. supra, p. 134 and p. 134, n. 49.

59 See letter of B. Davies, dated February 10, 1866, in Examiner, February 12, 1866. Over the years Davies had made no secret of his opposition to any endowment of sectarian institutions; see his letter in Protestant, November 12, 1864.

60 See editorials in Examiner, February 5 and 12, 1866.

61 See Resolution number one in Assembly Journal, 1867, p. 48.

62 Y. supra, p. 144.

63 See Coles in Assembly Debates, 1867, p. 66; Reilly in ibid., p. 67; A.A. MacDonald in Legislative Council Debates, 1867, pp. 32-33; Assembly Journal, 1865, Appendix X (letter of Arbuckle to the Board, dated 30 March 1865), p. 70; ibid., 1867, Appendix S (letter of Buckerfield to the Board, dated 1 February 1867), p. 6; and S.N. Robertson, "The Public School System," in MacKinnon and Warburton, eds., Past and Present, p. 378a.

restoration of 'free education.' Led by Haviland, they asked that it not be treated as a partisan measure, and one even stated that "I believe it was the intention of the majority of the Conservative party, had the government remained in their hands, to amend the law in this particular."<sup>64</sup>

In 1868 the Liberal Government decided it was time to consolidate and amend the existing laws relating to education. The primary objectives were to clarify the principles of the Education Act, and to increase the efficiency of the Island's educational system. As such it was successful.<sup>65</sup> But in matters on which various denominations had different opinions, it was not so effective. The Act of 1868 was a compromise, and the Liberals gave all they thought politically feasible to the Bishop. The Normal School was no longer to be compulsory for the candidates for teaching licenses.<sup>66</sup> The Board of Education was enlarged to eleven, and when its members were appointed, they included five Roman Catholics.<sup>67</sup> Furthermore, Fr. Angus MacDonald was one of the

64 See Colin MacLennan in Assembly Debates, 1867, p. 32. Several years later, Haviland said that local assessment had been a "miserable failure"; ibid., 1875, p. 115.

65 The number of pages in the Education Law was reduced from fifty-odd to between twenty and thirty; see Hensley in ibid., 1868, p. 120.

66 The Board would decide who was eligible for exemption; see Resolution number four in Assembly Journal, 1868, p. 99. Haviland claimed that this meant "The Normal School is to become a dead letter"; Assembly Debates, 1868, p. 154. Webster had resigned from the Normal School in March 1868. He died in the next month. His successor was Henry A. Lawson, who was not familiar with the Stowe System; see A.B. MacKensie in Legislative Council Debates, 1879, Second Session, p. 152.

67 Minutes of the Executive Council, June 4, 1868.



two members who were named 'examiners' of teaching candidates. For the Acadian areas, the 'Anglo-Rustico' and 'elastic' clauses of 1864 were re-enacted,<sup>68</sup> and a limited number of extra salary-grants were established for those teachers able and willing to teach the French language.<sup>69</sup> The new Act also changed the number of School Visitors from two to three, and to one of these positions the Liberals appointed a Roman Catholic.<sup>70</sup>

But this was not enough: Bishop MacIntyre on 3 March had sent a Memorial to the Government, in which he recalled the public support formerly given to St. Andrew's College,<sup>71</sup> and reminded the Government that in St. Dunstan's and three female schools<sup>72</sup> his Church was educating close to 500 pupils at no cost to the Treasury. Hence, it was "a grievance that he [the Bishop] gets no aid from the Public School Fund of the Colony, not even as much for the number of children taught

68 31 Vic., c.6, ss. 103, 104; also v. supra, p. 169.

69 See 31 Vic., c.6, s. 72. The amount of the extra Treasury grant was five pounds, which would be paid on condition that the local trustees raised a like sum by voluntary subscription. To be eligible, the teacher would have to instruct ten or more children in the French language. The number of such grants was not to exceed twenty. As in 1857, a request for equal privileges was put forth by the proponents of Gaelic. See Kenneth Henderson in Assembly Debates, 1868, pp. 142, 144; Patriot, April 9, 1868; and v. supra, p. 66, n. 47.

70 He was John MacSwain, School Visitor for Kings County. Arbuckle and Buckerfield were dismissed.

71 V. supra, p. 38 and p. 38, n. 58.

72 Two were in Charlottetown and one was at Miscouche, near Summerside, in Prince County.

free, as should be paid for them if they attended District Schools."<sup>73</sup>

On 18 March the Executive Council replied that while they "freely acknowledge the great and meritorious efforts made by His Lordship in the cause of Education, they regret that they do not feel themselves in a position to submit the proposed grant to the consideration of the Legislature."<sup>74</sup> This answer was consistent with the principles of the new Education Act, which had cut off all aid to schools in which sectarian religion was taught.<sup>75</sup>

Nevertheless the Government's reply did not close the issue. The Conservative Opposition saw the opportunity to embarrass the 'composite' Liberal administration, and had the Memorial tabled for discussion.<sup>76</sup> Their Leader, Heath Haviland, questioned "whether...an education that is not founded upon the principles of religion...is a healthy system ...for a mere secular education, unless founded upon religious instruction, is utterly futile."<sup>77</sup> Frederick Brecken asked Coles, in the light

<sup>73</sup> See Memorial of Bishop Peter MacIntyre, March 18, 1868, in Assembly Journal, 1868, Appendix FF.

<sup>74</sup> Minutes of the Executive Council, March 18, 1868; this answer was embodied in a letter dated 20 March, which was sent to the Bishop.

<sup>75</sup> The two such schools (St. Anne's and the Bog School) which had formerly been aided were given a year of grace to meet the requirements of the Education Law. See Assembly Journal, 1868, p. 76; Hensley in Assembly Debates, 1868, p. 152; and Coles in ibid., p. 153.

<sup>76</sup> Ibid., p. 130.

<sup>77</sup> Ibid., p. 155.

of his agreement in 1860 with Kelly on the question of equal endowments for St. Dunstan's and Prince of Wales,<sup>78</sup> why he now refused His Lordship's Memorial. Brecken also asserted that the Bishop held the power to overthrow the Government, and went on to say that George Howlan, now the leading Roman Catholic Liberal Assemblyman, disagreed with the Premier on the subject of educational policy.<sup>79</sup>

Coles replied that although he had voted for the grant of seventy-five pounds to St. Dunstan's in 1858,<sup>80</sup> and for Kelly's motion in 1860, "the Government do not at present feel themselves in a position to give a grant to the College. Yet in my own individual opinion, the Bishop is entitled to a grant. But...individual opinion is entirely a different thing from political duty."<sup>81</sup> Hensley added that "the only promises I made were that I would advocate the payment in full of the teachers' salaries out of the Treasury, and do away with the confusion which now surrounds the Education Act."<sup>82</sup> He also stated that "you cannot depart from...secular education unless you break up the whole system of the present common school education altogether."<sup>83</sup>

<sup>78</sup> Y. supra, pp. 73-76, and p. 76, n. 15.

<sup>79</sup> Assembly Debates, 1868, pp. 160-161.

<sup>80</sup> Y. supra, p. 50.

<sup>81</sup> Assembly Debates, 1868, p. 176.

<sup>82</sup> Ibid., p. 45.

<sup>83</sup> Ibid., p. 152.

Howlan then spoke up and said that "the only true system of schools for this Colony, is the separate school system."<sup>84</sup> "But," he asked, "where can I go for redress?"<sup>85</sup> Two other Liberal Roman Catholic Members, Joseph O. Arsenault<sup>86</sup> and Edward Reilly, expressed their agreement with Howlan as to the necessity of mixing religious and secular training.<sup>87</sup> Hensley replied that if such a programme were practicable, he would favour it, and said that the Tories were merely trying to divide the Liberal Catholics and Protestants, for they (the Opposition) had committed themselves to nothing.<sup>88</sup> Another Executive Councillor, Benjamin Davies, claimed that "there was no necessity for any of those schools which have been established by the Bishop; — that even upon charitable grounds they were not required, for the provisions of our Free Education Act are so ample...." He then added that "a sectarian system of education is a wrong one."<sup>89</sup>

<sup>84</sup> Ibid., p. 164.

<sup>85</sup> Ibid., p. 162.

<sup>86</sup> Arsenault, the second Acadian to become an M.H.A., had been elected for the first time in 1867. A former teacher, he was now a storekeeper and farmer; see A.E. Arsenault, Memoirs (Charlottetown: 1951), p. 10. The author is the son of J.O. Arsenault, and was Premier of P.E.I. from 1917 to 1919.

<sup>87</sup> Assembly Debates, 1868, pp. 169, 171. Through his newspaper, Reilly had been hinting at such views; see Herald, May 8, 1867.

<sup>88</sup> Assembly Debates, 1868, p. 172.

<sup>89</sup> Ibid., p. 180; Davies had been an M.H.A. in 1852, when the Free Education Act was passed.

New lines were already beginning to form, as the pressures mounted on the Government. In February the Free-Secession Presbytery had expressed "their strong condemnation of state grants in aid of any sectarian institution... [and pledged to] use all their lawful endeavours to prevent such endowments...."<sup>90</sup> The Liberal Protestants were clearly in a delicate situation. Two solid blocs were forming among the Executive Councillors: Howlan and Andrew A. MacDonald<sup>91</sup> against Davies, Henry Callbeck, W.W. Lord and Alexander Laird Jr. It is likely that Coles and Hensley sided with the Davies group, and Robert Haythorne with Howlan. The position of the Protestant Liberals worsened as Coles gradually slipped into mental impotence. In the Education Act and the subsequent appointments, they had given all the concessions they could afford to give to the Bishop. Whether Hensley could keep the Liberal Party together was an open question. Although he lacked the charisma of a Coles or Whelan, he nonetheless combined the qualities of moderation, good sense, and firmness, all of which were important in this situation.

The Liberal Protestants could derive no comfort from the course which the Islander and the Examiner were taking. In February and March of 1868, W.H. Pope outlined his new position vis-à-vis Roman Catholics and education. It was a policy of limited concessions to the Roman Catholic Church, and stopped short of support for a full separate school system.<sup>92</sup> Pope had seen the vulnerability of the Coles-Hensley Government,

<sup>90</sup> Minutes of the United Presbytery (P.E.I.), February 26, 1868.

<sup>91</sup> Howlan and MacDonald, an M.L.C., were the only Roman Catholic Executive Councillors.

<sup>92</sup> In any case the Bishop had not asked for separate schools, and would not do so until 1873; Y. infra, pp. 221-222, and 236-238.

and in February he came out in favour of a grant to St. Dunstan's College, without mentioning any conditions to be met.<sup>93</sup> He went on to say that "we believe that all who profess and call themselves Christians should be anxious that religious education should be imparted to children, in fact that it should underlie all other education." In so doing, the former Colonial Secretary warned of the tendency of the age to infidelity, and recommended that the Roman Catholics "force" the School Question upon the Government.<sup>94</sup> Throughout early 1868 he kept continual pressure on the Liberals, and eventually he published a draft bill which embodied the amendments he desired to be made to the Education Law.<sup>95</sup>

If this about-face on the part of the Islander surprised the Liberal leaders, that of the Examiner shocked them. Soon after Whelan's death it came out in support of the St. Dunstan's endowment,<sup>96</sup> and then began to move to an increasingly clerical position. In April the Examiner asserted that "the first duty of a State is to make due provision for the religious and moral training and the necessary or useful secular

93 Islander, February 21, 1868. The endowment was to bear the same proportion to the P.W.C. grant as did the Roman Catholic population of the Island to the Protestant population.

94 Ibid.

95 See ibid., May 29, 1868; for the text thereof, v. infra, pp.210-211. William Pope's abrupt change of attitude on the 'religious question' combined with the Confederation issue to cause a complete rupture with David Laird; see Patriot, June 4, 1868. Edward Reilly ironically remarked that "we [Roman Catholics] hardly know how to express our gratitude....What a generous, tolerant, large-minded soul W.H. Pope is in adversity!"; Herald, February 5, 1868. Nonetheless, Reilly endorsed Pope's draft bill; see ibid., June 3, 1868.

96 See Examiner, February 17, 1868.

instruction of its youth." Anyone who disagreed with this truism was guilty of "open and unabashed bigotry and audacious uncharitableness."<sup>97</sup> Walter C. Grant became editor in the middle of April, and under his guidance the Examiner grew less friendly to the Party which had given it birth; it seemed only a matter of time before a complete break would be made.<sup>98</sup>

On 8 July 1868 Col. Gray followed the example of William Pope. At the public examination of St. Dunstan's College, he expressed the hope that "the day was not far distant, when the Institution would be acknowledged, both publicly and privately." If he had a son, "he would, without hesitation, send him to St. Dunstan's."<sup>99</sup> When an Assembly seat for Summerside fell vacant in late 1868, James Pope announced his candidacy and published a card in which he said

I AM OPPOSED TO THE ENDOWMENT OF ANY SECTARIAN INSTITUTION. I, nevertheless, consider it just, that so long as it shall remain the policy of this Island to defray the cost of educating the youth of the Colony from funds raised by common taxation, the sum annually voted by the Legislature for Education shall be apportioned among the schools, in which education is imparted and, if elected, I shall advocate such amendments to the Laws relating to Public Education as will entitle efficient schools — if open to the inspection of the Executive Government —

97 Ibid., April 6, 1868.

98 Grant was assisted by R.B. Irving, the one-time School Visitor who had edited the Liberal Advertiser in the early 1850's. As School Visitor, 'R.B.I.' had in 1859 cautiously endorsed the principle of public assistance to S.D.C.; v. supra, p. 62, n. 27.

99 Reported in Examiner, July 13, 1868. Gray had also attended St. Dunstan's public examination in 1867, and said that he "felt proud" of the College; see ibid., July 15, 1867.

to a share of the grant for Education, whether such schools shall be established and maintained by religious denominations or by private individuals.<sup>100</sup>

This 'Summerside card' did not restrict the number of schools which would be eligible for grants from the Treasury. The question of such limitations involved a logical difficulty: if Pope were to limit the card's application to schools already in existence in October 1868, he would be liable to the charge of giving exclusive privileges to Roman Catholics, for no other denomination at that time supported private schools of significance. Yet his open-ended plan left the way clear for the Bishop to establish 'x' number of Catholic schools, and get public money for each. The Pope brothers got around this by having William maintain that these new provisions would apply only to institutions established in towns and villages,<sup>101</sup> while James was never explicit on the point.

It was a hard-fought campaign. On the one side were the Islander,<sup>102</sup> the Popes, Heath Haviland,<sup>102</sup> and Bishop MacIntyre.<sup>103</sup> They relentlessly

100 Dated October 15, 1868, in Islander, October 16, 1868. The seat was previously held by a Tory, Colin MacLennan. Candidates' 'electoral cards' were usually published in friendly newspapers, and distributed among the electorate.

101 See his draft bill in ibid., May 29, 1868. William held to this position throughout the campaign.

102 Haviland, as Conservative Leader, spent a full week working on Pope's behalf. See editorial in ibid., November 27, 1868; and letter of Haviland, dated November 24, 1868, in ibid. In this post-election letter, he trumpeted his support for the 'Summerside card.'

103 According to Laird, the Bishop "openly canvassed Miscouche"; see Patriot, November 21, 1868. Two months later William Pope wrote that "Bishop MacIntyre and every priest on the Island were in favor of the principle of which Mr. MacMillan was the opponent"; Islander, January 29, 1869. Also see ibid., June 17, 1870; and Summerside Progress, November 23, 1868, and March 8, 1869.



claimed 'common justice.' On the other side were the Patriot, the two Summerside papers,<sup>104</sup> the Presbyteries,<sup>105</sup> the Liberal Party, and their candidate, Angus MacMillan.<sup>106</sup> The Examiner and Herald stood aside, the former owing to its long-time allegiance to the Liberal Party, and the latter to Reilly's being Queen's Printer. On 19 November, MacMillan scored a decisive victory, as he took fifty-eight percent of the Roman Catholic vote, and fifty-nine percent of the Protestant vote.<sup>107</sup>

Why did so capable a man as James Pope lose so badly? Among Roman Catholics there appear to have been two poles of opinion between which the former Premier fell: some believed he did not go far enough, and others that he went too far.<sup>108</sup> In addition, residual antipathy to

104 These were the Progress, edited by Thomas Kirwan, an apostate Roman Catholic, and the Journal, sustained editorially by a number of persons, including Henry Lawson of the Normal School.

105 See Minutes of the Kirk Presbytery (P.E.I.), November 5, 1868; and Minutes of the United Presbytery (P.E.I.), November 9, 1868. Both Presbytery Resolutions were published in the Patriot, November 12, 1868.

106 A political novice, MacMillan was a popular local farmer. He avoided comment on the School Question, on the grounds that a general election was the only time when such discussion would be meaningful. See Examiner, October 26, 1868; and his electoral card in Summerside Progress, November 2, 1868.

107 See Islander, November 27, 1868.

108 See George W. DeBlois in Assembly Debates, 1877, pp. 25, 53-54. DeBlois, a prominent Tory supporter, accompanied Haviland to Summerside on election day. He agreed with the plan outlined on J.C. Pope's card. See W.W. Sullivan in ibid., p. 13; and Angus MacMillan, ibid., 1879, Second Session, p. 124.

his brother William was damaging, just as it had hurt Whelan a year and a half earlier.<sup>109</sup> Finally, the long-time loyalty of Roman Catholics to the Liberal Party was at least as important as their devotion to the secular Free Education Act. Among the Protestants, David Laird<sup>110</sup> pointed out that the Bishop, despite the failure of his Memorial, was founding new educational institutions. Sooner or later, he would presumably ask for public support for them, as well as the ones existing in March. Now was clearly the time to draw the line.<sup>111</sup> Laird also caught the logical dilemma in William Pope's 'towns and villages' plan:

Poor sinners, say we, those people in the country, who will have to pay for and retain 'mixed schools' — schools which are hurrying their children headlong into infidelity — and yet have to assist the 'rich and wealthy and wealthy and rich' people of Charlottetown, Summerside, and Georgetown, to support additional schools to those now in operation.<sup>112</sup>

The Summerside election pried the Examiner loose, once and for all, from the Liberal camp. Four days after J.C. Pope's defeat, Whelan's old paper declared that the Liberal Party "has deceived its supporters" and "is no longer worthy of their confidence."<sup>113</sup> On 30 November the

109 Y. supra, p.174. Laird nourished the Roman Catholics' distaste for the former Colonial Secretary by publishing extracts from his (Pope's) writings in the 1862-1864 period; see e.g. Patriot, November 12, 1868.

110 Laird's older brother, Alexander Jr., was a Liberal Executive Councillor, and strongly opposed to denominational grants.

111 Patriot, October 31, 1868. Since March the Bishop had established new convents at Summerside and Tignish, and was planning a boys' school in Charlottetown.

112 Ibid., November 7, 1868; "rich and wealthy and wealthy and rich" was a phrase which J.C. Pope had recently applied to his Summerside electors.

113 Examiner, November 23, 1868.

Examiner specifically named Coles, Hensley, Davies, and Alexander

Laird Jr., and accused them of "concealed enmity" to Roman Catholicism:

The Government, we feel satisfied, never intended to do anything for the Catholic party....why did not Messrs. Coles and Hensley see that Catholics had their fair share of the offices in the gift of the Government?....why did they not appoint a Catholic professor to the Prince of Wales College? ....the insult offered to the whole Catholic population of the Island was a studied and deliberate one....We have merely opened up this subject....we shall never cease our efforts until better and honest men supply the places of the leaders of the Liberal party.<sup>114</sup>

Mr. Grant then outlined the amendments which he desired made to the Education Law. In effect they represented the same position as that of James and William Pope, with the 'towns and villages' rider. "The chief consideration is not to render Education free, but to render it Christian."<sup>115</sup> The break was now irrevocable. Grant lost all restraint, and embarked upon a virulent campaign of bombast against the Liberal Protestants: their "ruling idea seems to be hatred and injustice to Catholics....one [government] more intensely stupid and bigoted than the present never swayed the destinies of this Colony."<sup>116</sup>

<sup>114</sup> Ibid., November 30, 1868; Inglis had left P.E.I. a few months earlier. Alexander Anderson succeeded him as Principal, a position which he held until 1901. Leander G. MacNeill succeeded Anderson as Second Professor.

<sup>115</sup> Ibid.

<sup>116</sup> Ibid., December 7, 1868

Notwithstanding the Examiner's conversion, the defeat of James Pope caused the School Question to recede from view as rapidly as it had arisen. The loss undermined the arguing position of Haviland, the Popes, and the Roman Catholic leaders. Whatever explanations were advanced, it was indisputable that fifty-eight percent of the Roman Catholic electors polled on 19 November had not felt strongly enough about the question of denominational grants to vote against the Liberal Party. The Popes realized this, and decided to let the matter stand for the present. Their attempt to inaugurate a new party system on the basis of an alliance between the Conservative Confederates and the Liberal Roman Catholics had been premature.<sup>117</sup>

Hence the School Question caused little public stir in 1869; only one or two Members mentioned it at all during the Session.<sup>118</sup> But the Liberal Party was still racked by internal differences of opinion. Apparently Premier Hensley<sup>119</sup> attempted in March to effect a compromise by supporting in caucus a grant of £300 to St. Dunstan's. This failed to gain acceptance, and Howlan was rumoured to have given in his resignation on the issue. If he did, he also withdrew it when he saw that it would not force any concession.<sup>120</sup>

117 For J.C. Pope's conversion to the Confederate cause, see Bolger, Prince Edward Island and Confederation, 1863-1873, pp. 155-160. In 1865 William and James had openly quarrelled in the House on this question; see ibid., p. 113.

118 See Samuel Prowse and Kenneth Henderson in Assembly Debates, 1869, p. 66. Angus MacMillan was silent on the subject.

119 Hensley became Premier officially on 20 August 1868; Coles rarely spoke in the Session of 1869, as he realized his mind was gone.

120 See Patriot, March 6, 27, and June 24, 1869; Examiner, March 29 and April 5, 1869; and Summerside Journal and Western Pioneer, April 1, 1869.

Hensley's decision in June to step up to the Bench was more serious. His resignation meant that the Government was faced with a genuine leadership problem in the latter part of that month.<sup>121</sup> The Liberal Party had been decapitated: Coles, Whelan, Warburton, and Hensley were all gone from active politics. To choose the aggressive Davies or the blustering Howlan would be an invitation to a quick rupture. The only alternative seemed to be Robert P. Haythorne, the Government Leader in the upper house. He was timid and a most unskilful politician but he was the only prestigious remaining Liberal who was not identified with one of the two hostile camps within the Party. Haythorne, who was a man of considerable education and intelligence, recognized the weakness of his Government, and he attempted in vain to get Conservative Legislative Councillors Edward Palmer and George Beer to join his cabinet.<sup>122</sup> Nevertheless, the Government survived the Session of 1870 intact. Howlan seemed appeased by being named Government Leader in the Assembly,<sup>123</sup> and the Roman Catholic Members generally ignored the jibes of Haviland and Brecken.<sup>124</sup>

But Haythorne's Government had also to face an election, as the Assembly had sat for four sessions. Fearing the silence of the Liberal

121 On the day after Hensley became Assistant Judge of the Supreme Court, David Laird wrote that "what is left of a government may as well begin to dig their political graves"; Patriot, June 19, 1869.

122 At the time, these overtures were an open secret. See Islander, June 25 and July 2, 1869; Patriot, June 26, 1869; and Examiner, June 28, 1869. In 1870 Haythorne confirmed their existence; see his letter dated October 5, 1870, in Islander, October 7, 1870.

123 See Assembly Debates, 1870, p. 70.

124 See ibid., pp. 10, 52, and 53.

Roman Catholic Members, the Presbyteries held a Joint Conference on 19 May.<sup>125</sup> They then appointed an eight-man committee,<sup>126</sup> chaired by Col. Gray, to take what action they felt necessary regarding the School Question. Gray's committee responded by issuing on 1 June an open letter "To the Presbyterians of Prince Edward Island":

Recent indications of no doubtful character unmistakably point to attempts likely soon to be made to break up the free school system at present established in this Colony....

The consequences of the introduction of any radical change into the existing unsectarian system of education cannot be fully predicted. But no prophetic vision is required to see the total breaking up of the schools in those districts in which the religious sects are much divided. Great and irretrievable injury would thus be inflicted on many of the young by an almost entire want of education: for no single denomination would be able to support a school efficiently in such localities. Even could a school be kept up in some such districts, it would be an act of manifest injustice to those occupying the helpless position of the minority. Were the proposed changes effected they would also undoubtedly be productive of much religious strife and denominational jealousy — painful evils from which the people are at present almost wholly exempt.

....you certainly must see that the time for thought and action has arrived....

We are also induced to remind the whole body of Protestants in the Colony, that, if resolved to be faithful to their principles, and true to the real interests of the whole community, they should feel that their duty at the approaching election requires them to give their suffrages only to men, whose established principles will be a sure pledge that, by no partial or unjust measures, any denomination of Christians shall receive educational advantages or support at the expense of their fellow-subjects. We even venture to suggest to the Roman Catholic portion of the population that they would consult their best interests by supporting the present system....<sup>127</sup>

125 See Minutes of the Kirk Presbytery (P.E.I.), May 19, 1870.

126 Its members included the Revs. Messrs. Allan and Duncan, and Mr. Kenneth Henderson, a Tory M.H.A. and future Orange Grand Master (1871-1872).

127 See Islander, June 10, 1870.

The Wesleyans were equally vigilant, and at their Annual District Meeting they warned that sectarian education at public expense would "inflict upon this country deplorable evils," such as "the propagation of error by means of Government patronage and funds"; money should be given to denominational institutions "under no guise, however specious."<sup>128</sup> The effect of these vigorous actions on the part of the Presbyterians and Wesleyans was to choke off serious discussion of the School Question as an issue at the election of 19 July 1870.

Haythorne won the election by a margin of seventeen to thirteen, largely on the strength of his own and his Party's Anti-Confederate record. The Tories were badly divided. James Pope and Edward Palmer were again candidates for the Assembly, and Haviland lost his nomination in Georgetown, owing to his unpopular stands on Confederation and the School Question. The Liberals won at least as much on the Tories' weakness as on their own strength. But the election decided who would control the Conservative Party: Palmer and David Laird<sup>129</sup> lost, and James Pope won. On 22 July the Islander was jubilant at the defeat of the Anti-Confederate leaders within the Party, and did not even mention the triumph of the Government. The former Colonial Secretary devoted his columns to gloating: "Mr. Palmer was, in the language of the turf, nowhere."<sup>130</sup>

For the Liberals, victory proved a sobering experience. Haythorne, with his lack of political acumen, precipitated a crisis by speaking out.

<sup>128</sup> See the report of the meeting held on 10 June, in ibid., June 17, 1870.

<sup>129</sup> They lost to Daniel Davies and Donald Cameron, respectively. Laird had also run in 1867, and lost to Benjamin Davies.

<sup>130</sup> Islander, July 22, 1870.

on the School Question on Declaration Day, 29 July. The Islander reported

That the Premier designated the Prince of Wales College a Protestant institution which had been established for the benefit of Protestants and asserted 'That he was prepared to propose a grant from the public funds in aid of St. Dunstan's College. That should he find himself unable to carry a grant for St. Dunstan's College he would propose the disendowment of the Prince of Wales College. That should he be unable to carry a grant for St. Dunstan's College, or to procure the disendowment of the Prince of Wales College, he would resign.'<sup>131</sup>

This of course brought on a confrontation between the Howlan and Davies factions. It was an unauthorised policy statement, and came with virtually no forewarning, as Haythorne, a Legislative Councillor, had not had to publish a card embodying his political platform during the campaign for the Assembly.<sup>132</sup>

Decapitated by Hensley's resignation, the Government now disintegrated. Feelings were already high within the Liberal Party, for at the late election Howlan's group had eliminated two of Davies's associates, George Sinclair and Herbert Bell. Representing Roman Catholic constituencies,

<sup>131</sup> Ibid., August 5, 1870. On Nomination Day, Liberal Roman Catholic candidates Francis Kelly and W.W. Sullivan had strongly hinted that they favoured disendowment of P.W.C.; see ibid., July 15, 1870.

<sup>132</sup> Haythorne later claimed that on at least four public occasions prior to the election he had expressed his support for a grant to S.D.C. He also said that he had made it clear he was opposed to denominational grants in general: "I considered St. Dunstan's a special case." Yet he voted for A.A. MacDonald's caucus resolution of 19 August 1870 (v. infra, p. 197). See letters of R.P. Haythorne, dated December 1 and 15, 1870, in Patriot, December 3 and 17, 1870, respectively. From these letters, he does not appear to have thought out his position very carefully. In any case, the Liberal Protestants of the Davies group did not consider Haythorne's views on the School Question to be agreed-upon Party policy.



they had expressed opposition in the Assembly to denominational grants.<sup>133</sup> Sinclair and Bell were replaced with two Catholics,

John Alexander MacDonald<sup>134</sup> and Stanislaus Perry, respectively.

The storm broke on 18 and 19 August when the Liberal caucus met in Charlottetown. Seventeen Assemblymen and seven Legislative Councillors attended, of whom fourteen were Protestants and ten Catholics. Led by Howlan, the Catholics were adamant: the St. Dunstan's grant was a sine qua non of continued support for the Government. Haythorne and three other Protestants agreed; the rest were immovable.<sup>135</sup>

On the second day, Davies and Peter Sinclair presented a resolution expressing general satisfaction with the existing Education Law.<sup>136</sup>

133 See Bell in Assembly Debates, 1868, p. 171, and ibid., 1870, p. 64; G. Sinclair in ibid., 1870, p. 65; Examiner, April 5, 1869; Patriot, July 21, 1870; letter of Haythorne, dated December 1, 1870, in ibid., December 3, 1870; and letter of W.W. Sullivan "To George Howlan," dated November 29, 1871, in Examiner, December 4, 1871. Bell was elected to the Legislative Council on 18 October 1870.

134 For various periods in the 1870's there were seven Roman Catholic M.P.P.'s with the surname 'MacDonald.' They were the following: (1) Andrew A. MacD., M.H.A. for Georgetown, 1854-1859, and M.L.C. for Second Kings, 1863-1873; (2) Archibald J. MacD., M.H.A. for Georgetown, 1872-1876 and 1879- ; (3) Augustine C. MacD., M.H.A. for Cardigan, 1870-1873, and M.P. for Kings County, 1873-1874 and 1878- (he was the younger brother of A.A. and A.J.); (4) James N. MacD., M.H.A. for Cardigan, 1874- ; (5) John Alexander MacD., M.H.A. for Egmont Bay, 1870- ; (6) John Angus MacD., M.H.A. for Fort Augustus in 1872; and (7) Laughlin MacD., M.H.A. for East Point, 1876-. The writer does not know the relationships of the last four MacDonalds cited, or their kinship with the first three. A blank space following a date means that the subject's term in office extended beyond the period of the thesis.

135 Patriot, August 20, 1870; Howlan in Assembly Debates, 1871, p. 45; P. Sinclair in ibid., pp. 45-46; and Angus MacMillan in ibid., p. 57.

136 Patriot, August 20, 1870.

This met no opposition;<sup>137</sup> however A.A. MacDonald submitted an amendment, to the effect that

When any school shall have been opened by any sect or denomination it shall be placed under the Board of Education and be subject to the rules and regulations thereof. Save and except that nothing herein contained shall prevent the parents and guardians from selecting their own textbooks, and choosing their own teachers.<sup>138</sup>

The amendment was carried, with the support of Haythorne's Protestants.<sup>139</sup>

The Roman Catholics then attempted to lessen the deleterious effects of their victory by adding a slightly ambiguous 'conscience clause,' which would supposedly limit religious instruction to before or after the regular hours.<sup>140</sup>

But the latter provision meant little, for citizens were already permitted to use the local schoolhouse for whatever purpose they desired, following the hours of secular instruction.<sup>141</sup> The point to the Catholic programme lay in MacDonald's first amendment. On the Executive Council, matters were equally grim; the difference was that in

137 See letter of Howlan, dated August 22, 1870, in ibid., August 25, 1870.

138 See Howlan in Assembly Debates, 1872, Second Session, p. 237; also editorial in Patriot, August 20, 1870.

139 See letter of Haythorne, dated December 15, 1870, in ibid., December 17, 1870. The editorial in ibid., August 20, 1870, appears to be mistaken on this point, as it asserts that Haythorne opposed MacDonald's amendment.

140 For the text of the second proposed amendment to the Davies-Sinclair resolution, see Howlan in Assembly Debates, 1872, Second Session, p. 237.

141 See 24 Vic., c.36, s.23. This was pointed out by P. Sinclair in Assembly Debates, 1871, p. 46.

this case Davies and Sinclair won the day by a margin of four to three.<sup>142</sup> As David Laird remarked, "it was plainly seen that the breach was irreparable and that to carry out their policy, each of the parties must seek new political associates."<sup>143</sup>

The Roman Catholics were successful in finding new allies, but not in enforcing their views on the School Question. The Conservative Confederates had been looking on with interest, and waiting for the split to occur. When this happened, James Pope joined with Howlan and his followers to form a coalition government. But in the meantime William Pope had prepared the way for his brother to refuse to meet the demands of Howlan and A.A. MacDonald. No Conservative Protestant had submitted the question of denominational grants to his constituents at the last election, and nothing, William said, could be done without a mandate from the people.<sup>144</sup> In maintaining this, he also undermined Haythorne's position with the Protestant population. Furthermore, the Premier's plan to disendow Prince of Wales College was "the most objectionable": "If the denying Catholics a grant for their schools constitutes injustice, the injustice is in no degree lessened by spoiling the Public College, and thereby doing injustice to the public generally."<sup>145</sup>

<sup>142</sup> Hodgson (Administrator) to the Earl of Kimberley, September 6, 1870, C.O. 226, vol. 106, pp. 225-227. The division was as follows: Haythorne, Howlan, and A.A. MacDonald against B. Davies, P. Sinclair, Callbeck, and Lord. Coles of course was incapacitated, and Alexander Laird Jr. was absent, as he had been defeated by J.C. Pope.

<sup>143</sup> Patriot, August 20, 1870.

<sup>144</sup> He first used this argument in the Islander, August 5, 1870. Also see report of speech by J.C. Pope on 11 October 1870, in ibid., October 21, 1870. The only Roman Catholic Tory elected in 1870 was Emmanuel MacEachen.

<sup>145</sup> Ibid., August 5, 1870. The Baptist Association of P.E.I. made Haythorne's position even more uncomfortable by announcing its unequivocal opposition to all denominational grants; see letter of the Rev. John Davis in ibid., August 19, 1870.

On 10 September James Pope formed a new government.<sup>146</sup> The Roman Catholics<sup>147</sup> received three seats on the Executive Council, and some of the more lucrative public offices.<sup>148</sup> The leading Tories in the Government<sup>149</sup> were Pope, Haviland, and Brecken. The basis of the alliance was a mutual self-denying pledge: nothing would be done on the Confederation and School Questions until they were submitted to the people at the polls.<sup>150</sup> Thus, without repudiating the 'Summerside card' in principle, the Tories had avoided wading in the troubled waters of the School Question — yet they had also won over the Roman Catholic Members and returned to power. As for the Catholics, Reilly succinctly stated their point of view: "If it be said that the school question is to be kept in abeyance for a period, it should be remembered that Mr. Pope's four years are greatly preferable to Mr. Sinclair's eternity."<sup>151</sup> They could see no point in sitting by as Davies and Pope formed a new all-Protestant government.

<sup>146</sup> Minutes of the Executive Council, September 10, 1870.

<sup>147</sup> Haythorne remained with the other Protestant Liberals, while all Liberal Roman Catholics but James R. MacLean followed Howlan. MacLean had supported Howlan and MacDonald in August, but apparently saw no point in joining the Conservative Confederates, when no concessions were being offered. He also objected to committing himself in writing to the coalition; see Assembly Debates, 1875, p. 359; and v. infra, p. 199, n. 150.

<sup>148</sup> Howlan, A.A. MacDonald, and Emmanuel MacEachen joined the cabinet, while Francis Kelly became Commissioner of Public Lands, and Dennis Reddin (who was not an elected Member) became Solicitor General. The Premier appointed his own father, Joseph Pope, who had returned from England in 1868, Colonial Treasurer.

<sup>149</sup> On 18 October 1870 Haviland was elected to the Legislative Council in Palmer's old Charlottetown seat.

<sup>150</sup> See Islander, September 9, 1870; electoral cards of Brecken and Haviland in ibid., September 23, 1870 (these bye-elections were occasioned by their acceptance of the offices of Attorney General and Colonial Secretary); Brecken in Assembly Debates, 1872, First Session, pp. 45-46; J.C. Pope in ibid., Second Session, p. 230, and ibid., 1875, p. 349; and Emmanuel MacEachen in ibid., p. 358. At the request of Dr. James Robertson, the agreement between the two factions was embodied in a written pledge, the text of which does not appear to have survived.

<sup>151</sup> From the Harald, cited without a precise date, in Patriot, September 29, 1870. This number of the Harald does not survive. In the change of Governments, Reilly lost the Queen's Printership to John Inge. Brecken had threatened to resign should Reilly retain his office; see Brecken in Assembly Debates, 1872, First Session, p. 46.

The Tory Confederates had turned the Byzantine politics of the Conservative Party, and the religious tensions among the 'composite' Liberals, to their own advantage. First they eliminated Palmer and David Laird, and then they usurped the role of the Liberal Protestants within the Government. The Popes had constructed a new political juggernaut, which was to be out of power for less than one year between 1870 and 1876. Clearly, the 'Old Liberal Party' was dead, and it would require many years to found a new and successful one. 'Religion and education' had returned the Popes and Haviland to power, and they had responded by burying the issue for four years.

## PART IV

**"The Period of Conspiracies"**

1870-1873

(thesis)

Between 1870 and 1873 the building of the Prince Edward Island Railway provided the primary motive power in Island politics. In 1871 it was virtually the entire programme of the Pope-Howland Government; in 1872 it broke the coalition and returned R.P. Haythorne to power. But it had also broken the Colony's finances, and Confederation was now inevitable. In the background, by means of clandestine negotiations, Bishop MacIntyre and the Roman Catholic public men attempted on three separate occasions in 1872 and 1873 to obtain aid for the Bishop's educational institutions. These efforts were futile, and consequently tensions between MacIntyre and the temporising James Pope (who in the scramble over Confederation had become Premier for the third time) reached the breaking point in mid-1873. The Bishop had failed in his dealings with politicians, and would now take the issue to the people.

## Chapter. Eight

On 18 September 1870, just eight days after the J.C. Pope-Howlan coalition was formed on the basis of non-action concerning the School Question and Confederation, William Pope wrote a private and confidential letter to the Prime Minister of Canada, Sir John A. Macdonald. As usual, William was to the point: he saw little prospect of convincing Islanders to join Confederation by means of argument; but "their pockets are far more sensitive than their understanding." Thus he recommended that the Dominion place a duty on Island produce. "There would be a tempest in a teapot but it would not last long." Furthermore, the Colonial Office should "put on the screws": the Islanders must be told that if they did not re-open negotiations with Ottawa, "Her Majesty's Ministers will be compelled to take matters in hand and settle the terms for them." But all this must be done "without any communication being had upon the subject with our Executive or any member of it," for "it is important that our friends in the Executive could have it in their power to say that they have not had any intercourse with Canada on the subject."<sup>1</sup>

This letter was typical of the clandestine negotiations which took place on Confederation, the School Question, and the Railway Question in the three years following the formation of J.C. Pope's Government in 1870. It is impossible to definitively say whether James Pope knew of his brother's letter to Macdonald, for William was not explicit on this

1 W.H. Pope to John A. Macdonald, September 18, 1870 (private and confidential), John A. Macdonald Papers, vol. 119, pp. 48221-48226.

point. If James was not aware of it, then William's caution to Macdonald served to keep both his own brother and the Canadian Prime Minister in the dark as to the actual role he was playing.<sup>2</sup>

In any case, both the School Question and the Confederation issue as such were overshadowed in 1871 and 1872 by the coming of the Railway. In early 1871 a sudden enthusiasm for the iron horse swept the Island. This was convenient for the coalition Government: in the words of another writer, "Religion and union being barred, they made the railway their politics."<sup>3</sup> Although it had not been seriously discussed at the election of 1870, the idea of a railway carried the Colonists along on a wave of fervour.<sup>4</sup> Hence in the Session of 1871 Premier Pope introduced railway legislation,<sup>5</sup> and it was passed over the objections of men such as Benjamin Davies, who declared that "Confederation is...the object sought, and not the prosperity of the Island...."<sup>6</sup> The Premier's Anti-Confederate allies certainly did not desire the Railway as a means

2 If pressed, William could always say that, as he was no longer an M.P.P., he had not signed the self-denying pledge on which the Government was based; nonetheless, he had supported it in the Islander.

3 MacKinnon, The Government of Prince Edward Island, p. 133.

4 This has been documented in Bolger, Prince Edward Island and Confederation, 1863-1873, pp. 216-217. In late 1869 and early 1870, Premier Haythorne had rejected an offer of 'better terms' from the Dominion, partially because of Macdonald's failure to include the offer of a railway. In this he (Haythorne) was supported by most Islanders, whether Confederate or not; see ibid., p. 202, pp. 204-208. Haythorne's refusal had left Macdonald with the impression that he had been "humbugged" by the Island administration; see Macdonald to Sir John Rose, December 13, 1872, John A. Macdonald Papers, vol. 522, p. 321.

5 Bolger, Prince Edward Island and Confederation, 1863-1873, pp. 217-221.

6 Assembly Debates, 1871, p. 93.



to Confederation, but it is unknown whether Pope foresaw the financial calamity which his project would bring on the Colony, eventually forcing it into Confederation.<sup>7</sup>

In the Assembly, the uproar over the Railway Act muffled discussion of the Education Question until the Reports of the three School Visitors were presented to the House. Then James R. MacLean, the only Roman Catholic remaining with the Liberal Protestants,<sup>8</sup> moved that "Whereas the present system of education taught in this Colony, does not give general satisfaction; Resolved therefore, that this House do now resolve itself into a Committee of the Whole to take into consideration the expediency of making, if required, some alteration in the present Educational System."<sup>9</sup> This motion did not say much, and was defeated on a party vote of eighteen to seven.<sup>10</sup> The main airing of the School Question came during the debate on the Throne Speech, after Opposition Leader Davies censured the Government for failing to include any reference to the educational system of the Island.<sup>11</sup>

7 The most recent writer on the subject believes that the Premier was witting concerning the consequences of building the Railway; see Bolger, Prince Edward Island and Confederation, 1863-1873, p. 220, n. 29.

8 Y. supra, p. 199, n. 147.

9 Assembly Journal, 1871, p. 66.

10 Ibid.

11 Assembly Debates, 1871, pp. 31, 35, 37-41, 43-51, 57 and 58.

In May, Premier Pope and his cabinet called for tenders for the construction of the Railway. Two weeks before the deadline for the receipt of tenders, Island public opinion showed its first sign of receding enthusiasm for the Railway: in a byelection on 5 July David Laird defeated James Duncan, the newly-appointed Chairman of the Railway Commission.<sup>12</sup> Always open and frank in his opinions, Laird had grown in stature over the years: he was an able public speaker, and was becoming a more clever writer each year.<sup>13</sup> By his outspoken opposition to Confederation, he had gained the ear of a broad segment of the public. Now he was telling all who would listen, that the Government was using the Railway as an indirect route to union with Canada. By August, nineteen Members of the two houses of the Legislature were memorializing Governor Robinson for a special session to consider the subject.<sup>14</sup> This was in vain, for Robinson had no desire to stop a project which he felt would lead the Island into Confederation.<sup>15</sup>

Premier Pope was not the man to let the mounting protests turn him away from his plans for the Prince Edward Island Railway. Persevering

12 The margin was decisive: 756 to 610, or approximately 55% to 45%; see Islander, July 7, 1871.

13 In 1867 his Patriot became the first successful semi-weekly Island journal in many years. His main associate editor in these years was Donald Currie, formerly of the staff of the Monitor and the Protestant; Y. supra, p. 74 n. 12; also letter of Currie in Presbyterian, March 30, 1876.

14 See Bolger, Prince Edward Island and Confederation, 1863-1873, pp. 222-223.

15 For Robinson's belief that the Railway would lead to union, see Robinson to Kimberley, April 17, 1871 (confidential), C.O. 226, vol. 107, p. 167.

and a master manipulator of men, he doubtless had faith in his own ability to rebuild support for his Government before the next session of the General Assembly. Thus he went straight ahead, and on 7 September he awarded the contract to Collingwood Schreiber. But, for Pope, matters became worse instead of better. Less than a week later, Reilly's Herald deserted the Government,<sup>16</sup> and by December twenty-two Legislators were calling for a special session. Robinson again failed to respond,<sup>17</sup> and Pope carried on.

When on 5 March 1872 Pope called the Second Session of the Twenty-fourth Assembly, it lasted less than a week; he saw that he would get nowhere with the House as then constituted, and obtained a dissolution. On 4 April a wave of revulsion against the coalition's railway policy swept Haythorne back into power.<sup>18</sup> Haythorne's main partners in bringing down Pope were the two Anti-Confederate Tories, Edward Palmer and David Laird.<sup>19</sup> The electorate probably believed that if anyone could stave off union with Canada, it was solid Anti-Confederates like Haythorne, Palmer,

16 See Herald, September 13, 1871. On the next day, Reilly joined the memorialists who desired a special session; see Islander, September 22, 1871.

17 See Bolger, Prince Edward Island and Confederation, 1863-1873, p. 223.

18 See Minutes of the Executive Council, April 22, 1872; the margin was nineteen to eleven. According to Laird, the total Government vote was 9,811, and that of the Opposition, 20,283; see Patriot, April 11, 1872. In order to retain a seat in the Assembly, James Pope was compelled to retreat to Tory Charlottetown. Three of his Executive Councillors (MacEachen, L.C. Owen, and William Richards) were not re-elected. In this election, Haviland returned to the Assembly from the Legislative Council.

19 Although he had been a leading figure in the defeat of the Pope Government, Laird did not join the Executive Council until December of 1872.

and Laird. In any case, James Pope had forfeited public confidence. The new Council included two Roman Catholics, James R. MacLean and W.W. Sullivan,<sup>20</sup> and was notable for the absence of Benjamin Davies.<sup>21</sup> Of the four Executive Councillors who had opposed Haythorne's Declaration Day speech of 1870, only Peter Sinclair was named to the cabinet in 1872.<sup>22</sup>

When the Assembly met, it was discovered that in order to hold a majority, Haythorne and Palmer would have to continue building the Railway: those sections of the Island which it had not yet reached had no intention of being denied branch lines.<sup>23</sup> Their representatives held the balance of power, and if Haythorne would not do their bidding, Pope would. As Palmer despairingly said, "There is, therefore, no alternative but to undertake those branches and add to the vast amount of debt which the country has already incurred."<sup>24</sup> The Railway was an irresistible

20 Sullivan was twenty-nine years of age, and a lawyer by profession. He had graduated from the Central Academy and St. Dunstan's College, and had lost three elections prior to gaining a seat in 1872.

21 Nevertheless, his son, Louis H. Davies, age twenty-seven, became Solicitor General, a position which he had also held in the first Haythorne Government. He could not be denied the office, for his clear voice and logical mind had made him one of the most effective platform orators in the anti-Railway campaign. He was a graduate of the Academy and P.W.C., had studied law in Britain, and was admitted to the British Bar at the age of twenty-one. In 1918 he became Chief Justice of the Supreme Court of Canada. See Frank MacKinnon, "Sir Louis Davies, K.C.M.G.," Gazette, March 24, April 7, 28, and May 4, 1945; and Frank MacKinnon, "A Statesman's Centenary: Sir Louis Davies," IB (1945-46), pp. 15-21.

22 W.W. Lord had retired from politics, and Ben. Davies and Henry Callbeck were passed over.

23 See P. Sinclair In Assembly Debates, 1872, Second Session, p. 10.

24 Legislative Council Debates, 1872, Second Session, p. 17; also see Haythorne In 1872, p. 10.

force, and hence was making Confederation unstoppable, as the Island's financial condition steadily deteriorated.<sup>25</sup>

In the meantime, fissures were beginning to appear in the second Haythorne Government. W.W. Sullivan said on 4 June that he was in disagreement with his colleagues on the School Question, and that "it was not the policy of the present government to take up the question at the next session of the Legislature, or at any other time." Sullivan "had been in favor of taking it up this Session and disposing of it."<sup>26</sup> Later in that month he resigned,<sup>27</sup> and the Conservatives interpreted this as an omen that the Liberals were as ripe for disintegration as they had been in 1870.<sup>28</sup> According to A.A. MacDonald, "it was known"

25 See Bolger, Prince Edward Island and Confederation, 1863-1873, pp. 233-236. Fr. Bolger believes that by November of 1872 "Haythorne was convinced that the Island should seriously consider Confederation"; ibid., p. 243. Also see Haythorne in Legislative Council Debates, 1873, pp. 25-28. For Robinson's assessment of the financial situation brought on by the construction of the P.E.I. Railway, see Robinson to Kimberley, September 28, 1872 (confidential), C.O. 226, vol. 110, pp. 37-39.

26 Assembly Debates, 1872, Second Session, p. 240. It is possible that this declaration by Sullivan was prompted by the assertion in the Argus that Haythorne was appeasing the Roman Catholic Liberals by promises to act on the School Question in the next session; see Argus, June 4, 1872.

27 Minutes of the Executive Council, June 20, 1872.

28 Letter of A.A. MacDonald to the editor of Herald, dated November 20, 1873, in Islander, November 28, 1873. George Howlan, in a letter to the Lieutenant Governor, suggested that Sullivan's resignation was due to conscientious objections to the Railway Extension Bill. Howlan also seemed to insinuate that Sullivan was disappointed when Louis Davies, and not he, became Solicitor General (Davies held no seat in the General Assembly). See Howlan to Robinson, dated June 28, 1872, enclosed in Robinson to Kimberley, July 12, 1872, C.O. 226, vol. 109, pp. 275-278. Howlan and Sullivan had not enjoyed cordial personal relations. See letters of Sullivan in Islander, December 4 and 18, 1871; and that of Howlan in ibid., December 11, 1871. Sullivan's first letter was the result of a letter in ibid., November 27, 1871, which does not survive.

that in the Liberal caucus discussions, "at least" five Assemblymen supported the Roman Catholic position. "It was also said" that Haythorne and Palmer opposed Peter Sinclair's<sup>29</sup> hard-core secular position. Furthermore, "it was believed" that when Sullivan left the cabinet, four Liberals had advised Bishop MacIntyre that although they opposed their Party's policy on the School Question, they would not act unless they were assured that the Opposition would do more than the Haythorne Government.<sup>30</sup>

The Tory caucus responded to this challenge by passing the following resolution, probably in July 1872:

That the Opposition, as a party, are prepared to go for such a modification of the School Law as will entitle any school open to Government inspection, to its equitable proportion of the school-tax according to the number of scholars receiving instruction therein, whether such school is established by the Government or by any individual or association. Provided a sufficient number of the supporters of the present Government, being dissatisfied with the policy of the Government, are prepared, to join with us in carrying such a measure.<sup>31</sup>

29 Peter Sinclair was now Government Leader in the Assembly.

30 Letter of A.A. MacDonald to the Editor of Herald, dated November 20, 1873, in Islander, November 28, 1873. According to John Caven (the editor of the Herald), the four Liberals were J.R. Macbean, James Hogan, John Angus MacDonald, and William Hooper. This seems likely, as all but Hooper were Roman Catholics, and even he represented a Catholic constituency; see editorial of Herald, August 6, 1873, as reprinted in Patriot, August 9, 1873.

31 See letter of A.A. MacDonald to the Editor of Herald, dated November 20, 1873, in Islander, November 28, 1873; also Note A, pp. 225-226.

Some time after the passage of this resolution, Howlan, A.A. MacDonald, and Owen Connolly (a prominent Catholic merchant) called on Bishop MacIntyre.<sup>32</sup> They did so on their own initiative and "were neither authorized nor requested by Mr. Pope, or any other Protestant members of the Legislature."<sup>33</sup> Their purpose was to have the Bishop act as an intermediary between the Conservative caucus and the disgruntled Liberals. They informed MacIntyre of the Conservative caucus resolution, and as an example of what would be done if their visit were successful, they produced the draft bill which William Pope had published in the Islander four years earlier, prior to the 'Summerside card' campaign.<sup>34</sup>

Whereas it is expedient to encourage the establishment and maintenance, in the towns and villages of this Island, of schools for the gratuitous instruction of poor children of all ages; and also that superior schools and colleges throughout the Colony, in which higher branches of education shall be taught, should be entitled to receive aid from the public treasury.

Be it therefore enacted as follows:—Any individual, association, or corporate body that shall hereafter establish or maintain, within any town or village in this Island, a school or schools, and therein gratuitously instruct poor children in the elements of English education, shall be entitled to receive therefor from the Treasurer of this Island an allowance equal to...for each and every child, that, during the year, may have been so instructed.

<sup>32</sup> This meeting appears to have taken place in the fall of 1872. See Note A, pp. 225-226.

<sup>33</sup> Letter of A.A. MacDonald to the Editor of Island, dated November 20, 1873, in Islander, November 28, 1873. The Argus in mid-1873 reported the other Protestant Conservative M.E.A.s (besides Pope), i.e. Haviland, Brecken, and John Lefurgy, as denying knowledge of the draft bill; see Argus, July 29, 1873.

<sup>34</sup> V. HARRIS, pp. 186-188.

Every individual, association or corporate body that shall hereafter establish or maintain within this Island a superior school or college, and shall provide such school or college with a sufficient number of teachers competent to impart a knowledge of the several branches of learning enumerated in the Act of the Legislature of this Island, relating to the Prince of Wales College, shall be entitled to receive from the Treasury, an allowance of...for each and every pupil that, during the year, may have been instructed in such school or college.

That the Proprietor or Proprietors of every such school or college who may be desirous of obtaining public aid under the provisions of this act, shall give to the Government of this Island a notice in writing of his or their intention to apply for such aid, such notice to state the locality in which the school or college is situated, the nature of the instruction therein given, and the names of the teachers employed therein shall be given to the Colonial Secretary of this Island.

In every such school or college the Proprietor or Proprietors of which shall have applied for public aid, there shall be kept a daily record of the attendance of pupils, a copy of which, verified by the signature of the principal master of such school or college, shall be filed in the office of the Colonial Secretary of this Island, every three months, and the average attendance shown by such record shall be taken as the basis to determine the allowance to be paid from the public Treasury to such school or college as aforesaid.

Every such school or college the proprietor or the proprietors of which shall have given notice of his or their intention to apply for public aid shall, at all times after the giving of such notice, be open to the inspection of any person or persons who may be appointed by the Governor to inspect and report on such school or college.

No grant of money shall be made under the authority of this Act, in aid of any school or college in which the students seeking to enter such school or college, shall be required to subscribe any religious test, or to make any declaration of religious belief, or which shall require students to attend the religious service of any particular church or sect of christians, nor to any school or college at which the semi-annual attendance of students shall be shown by the official register to be less than...<sup>35</sup>



Bishop MacIntyre replied that although he would prefer a replica of the Quebec Province School Act,<sup>36</sup> the draft bill would be acceptable. The conversation broke down when the Bishop said that John Caven<sup>37</sup> would have to be made Queen's Printer, Howlan had no objection, but he informed MacIntyre that this would be impossible, for Caven had too many enemies within the Conservative Party.<sup>38</sup> The Bishop then said that he could not guarantee the support of the four Liberals in question. This ended the meeting, and the episode of the caucus resolution. Howlan's Roman Catholics had failed to fulfil their part of the bargain: they had not delivered a majority to J.C. Pope.

The School Question dropped out of sight again, but the march to Confederation went relentlessly on. After several weeks of quiet negotiations through the mails, Prime Minister Macdonald insisted that a delegation

<sup>36</sup> Under the Quebec system, there was a complete range of denominational schools, supervised and financed by the government. In effect, the government made itself the agent of the denominations, for it fully recognized their claims to direct the education of their children.

<sup>37</sup> Caven had succeeded Reilly as editor of the Herald when the latter died on 28 March 1872. An Irishman, he originally came to the Island in 1869 from Scotland, to teach at S.D.C. when Fr. Angus MacDonald left the College. He was the only lay member of the staff. From an early date, he had been an editorial contributor to the Herald (Reilly had ceased being sole proprietor in 1870). In mid-1873, Professor Caven left S.D.C. to devote all his time to his editorial duties. See Summerside Journal and Western Pioneer, August 12, 1869; Islander, April 18, 1873; Herald, November 2, 1870; and Patriot, July 19, 1873. Fr. Angus MacDonald spent the rest of his life as a parish priest, but was plagued by chronic ill-health; he had to retire from active duty on three occasions. He died in 1889, at the age of fifty-eight.

<sup>38</sup> Letter of A.A. MacDonald to the Editor of Herald, dated November 20, 1873, in Islander, November 28, 1873. After the conversation with the Bishop, Howlan and MacDonald told the Conservative caucus that MacIntyre had demanded Caven's becoming Queen's Printer as a condition of his (the Bishop's) cooperation. The Tories refused, as the negotiators had expected; see ibid.

be sent to Ottawa.<sup>39</sup> Accordingly, Haythorne and Laird left the Island on 15 February to discuss terms with Macdonald and four other Privy Councillors. The Island Delegates arrived on 24 February and the negotiations lasted ten days. The terms were reasonable,<sup>40</sup> and Haythorne and Laird decided to appeal to the electorate on the question. This dissolution brought the School Question above ground again: the Protestant clergy feared that in order to regain power, James Pope would attempt to strike a bargain with the Bishop. Already, when the Ottawa negotiations had been going on, a convention of Protestant ministers "representing the entire Protestant population" had made their support for Confederation conditional upon there being no change in the Education Act.<sup>41</sup> The reason for their anxiety was plain: the British North America Act provided that no school act in any province "shall prejudicially affect any Right or Privilege with respect to Denominational Schools

39 Bolger, Prince Edward Island and Confederation, 1863-1873, pp. 237-246. This insistence by Macdonald of course meant that the Island Government would have to make public the fact that it was negotiating with Ottawa. Macdonald was suspicious of any government in which Haythorne and Palmer were "the ruling spirits," especially after the former's rejection of the 'better terms' of 1869. See Macdonald to Rose, December 13, 1872, John A. Macdonald Papers, vol. 522, p. 321; also Y. supra, p. 203, n. 4.

40 See Bolger, Prince Edward Island and Confederation, 1863-1873, pp. 248-251.

41 See Robinson to The Earl of Dufferin, Telegram, March 3, 1873, G. 13, vol. 5; Islander, March 7, 1873; and Patriot, March 8, 1873. This address to the Governor may have originated with the Grand Orange Lodge, which on 18 February had resolved to petition that there be no change in the principles of the Free Education Act. They had also resolved to enlist the support of the Protestant clergy; see Twelfth Annual Report, Grand Orange Lodge Records (P.E.I.), 1873, p. 16.

which any Class of Persons shall have by Law in the Province at the Union."<sup>42</sup> If prior to union with Canada the Bishop could obtain concessions for his schools, they would be irrevocable.

There was little danger that Haythorne, Palmer, or Laird would give in to any pressure which Bishop MacIntyre might exert. But James Pope was another matter, for the bulk of his support now consisted of the former Liberal Roman Catholics whom Howlan had brought with him in 1870.<sup>43</sup> The dissolution had of course changed Pope's strategy: instead of attempting to lure dissident Liberal Members, he would have to win power in an open election.<sup>44</sup> He adapted his tactics brilliantly to the changed situation. He declared that the Haythorne-Laird terms of Confederation were not good enough, and that the method of obtaining them was shoddy: "I cannot look upon the conduct of the Government as other than a conspiracy to put you into Confederation without allowing you time to properly consider upon what terms you are to be admitted."<sup>45</sup> He could and would obtain much more for the Island, as he and his Conservative associates were personal friends and political

<sup>42</sup> Section 93, subsection 1; subsections 3 and 4 provide the means for enforcement of this limitation upon the provinces' powers relating to education.

<sup>43</sup> Of the twelve Conservative M.H.A.s, eight were Roman Catholics.

<sup>44</sup> See Islander, March 7, 1873.

<sup>45</sup> Electoral card of J.C. Pope, dated March 8, 1873, in Argus, March 11, 1873; it was addressed "to the electors of Prince Edward Island."

brethren of Macdonald.<sup>46</sup> Pope was silent on the School Question, and, as a result, the Protestant ministers took action. On 15 March 1873 the Patriot published a letter from six Protestant clergymen. They disclaimed partisanship but nonetheless expressed the opinion that

we would not be doing our duty as Christian men and ministers ...did we not earnestly recommend our Protestant brethren, and our fellow-colonists in general, to preserve in its integrity the present [school] system, and to give their support to those only who, in seeking their suffrages, shall satisfy them that such system shall not be interfered with.<sup>47</sup>

Consequently the Protestant constituencies<sup>48</sup> proceeded to request and extract pledges on the School Question from their candidates for the Assembly.<sup>49</sup> This action on the part of the secular Protestants of the Island saved Pope from having to declare himself on the issue: to

46 In asserting that he would get 'better terms,' J. C. Pope had to contend with telegrams which Robinson had requested and received from Kimberley and Dufferin, and which congratulated the Haythorne Government on the liberal terms which it had obtained. Robinson published these wires in the Island press. See Dufferin to Robinson, Telegram, March 11, 1873, G. 13, vol. 2; and Kimberley to Robinson, Cablegram, March 20, 1873, C.O. 537, vol. 104, p. 34.

47 See Patriot, March 15, 1873. The signers were the Revs. Messrs. John Davis (Baptist), David Fitzgerald (Anglican), Thomas Duncan (Presbyterian), George Webber (Bible Christian), James Taylor (Weslayan), and John McLeod (Presbyterian). Their declaration was dated 13 March 1873, and addressed "to whom it may concern." A.A. MacDonald later stated that Peter Sinclair had been behind this campaign to 'pledge' the various candidates, because he (Sinclair) feared that a majority in favour of some concession to the Roman Catholic point of view would be elected. See letter of A.A. MacDonald to the Editor of Herald, dated November 20, 1873, in Islander, November 28, 1873.

48 For a break-down of the constituencies by religion, see Appendix, p. 323.

49 Even two Roman Catholic candidates, Thomas Kelly and Archibald J. MacDonald, were pledged by their ridings, Summerside and Georgetown, respectively. Kelly felt strongly on the issue, and resigned his seat after the Session of 1874.

Protestants he could say that he was pledged to uphold the Free Education Act, and to Roman Catholics he could point to the caucus resolution of 1872 and the 'Summerside card' of 1868<sup>50</sup> as proof of his sympathy for their position. Had the Protestant ministers not forced him to pledge himself to inaction on the School Question, Pope would have had to take one side or the other. As it was, the frustrated Island electors could afford to banish Haythorne from office, and to replace him with Pope, who promised 'better terms.' Roman Catholics put their faith in him, as a man more likely than Haythorne and Laird to meet their demands eventually, while Protestants were secure in the knowledge that he was currently unable to make a move on the issue. Pope stood in both camps simultaneously, and in neither.

Thus on 2 April 1873, 'soundness' on the School Question was more at issue than was the principle of Confederation.<sup>51</sup> Pope won by a margin of twenty to ten, and the victory was largely due to the solidarity of the Roman Catholics: all twelve of the Catholic Assemblymen elected

50 Y. supra, pp. 186-187, and 209 . Mr. Pope had never repudiated the 'Summerside card' in principle.

51 Only two declared Anti-Confederates (A.E.C. Holland and Cornelius Howat) were elected in 1873. Both represented Fifth Prince. On 18 February 1873 Orange Grand Secretary Thomas Leeming had predicted that the School Question, and not Confederation or the Railway, would determine the results of the next election; see Twelfth Annual Report, Grand Orange Lodge Records (P.E.I.), 1873, pp. 9-10.

were members of his Party.<sup>52</sup> Nonetheless, in one case at least, the Liberals were able to turn the School Question to their own advantage. When challenged in Belfast by Col. Gray, David Laird presented the Colonel drunk with the Colonel sober — in the most Presbyterian constituency of the Island, Laird distributed copies of Gray's speech at St. Dunstan's College in 1868.<sup>53</sup> The former Premier ran fourth, although the Confederation which he had long sought was consummated.

The Conservative caucus met after the election, and a division on the School Question became apparent at once.<sup>54</sup> The Roman Catholic Assemblymen were anxious to make arrangements for public recognition of the Bishop's schools, as any provisions made before union would become entrenched as a permanent part of the Canadian constitution. But Pope and the other Conservative Protestants were pledged to maintain the Act as it was. After several years of fruitless struggle, the Roman

52 Haythorne, Laird, and Benjamin Davies were definitely of the opinion that the Liberal Government had lost the election as a result of Roman Catholic militancy on the School Question. Of the four Catholic Assemblymen elected in April 1872 to support Haythorne, James Hogan and John Angus MacDonald were not re-elected, while Sullivan and MacLean joined the Conservatives. William Hooper and John Scrimgeour, two Liberal Protestants representing predominantly Roman Catholic constituencies, also failed at re-election. See D. Laird in Assembly Debates, 1873, p. 13; B. Davies in ibid., p. 20; and letter of Haythorne to Robinson, April 9, 1873, in C.O. 226, vol. 111, pp. 85-86.

53 Y. supra, p. 186; see J.C. Pope, Brecken, D. Laird, and Howlan in Assembly Debates, 1873, pp. 126, 208, 209, 211, and 213. Pope became quite indignant and said that "I did not take the School Question to the people and make political capital out of it." Laird on the contrary said that he had done so "openly, and above board." He had also published the Herald's report of Gray's speech in the Patriot, March 27, 1873.

54 Letter of A.A. MacDonald to the Editor of Herald, dated November 20, 1873, in Islander, November 28, 1873. All that is certain concerning the date of the caucus meeting is that it was between 2 and 15 April.

Catholic representatives did not want to join a government supporting the status quo. Thus no administration was formed as a result of this caucus meeting. At the meeting, James Pope had told his Catholic supporters that they could join Haythorne and Laird if they could get what they wanted from the Liberals.<sup>55</sup> But Haythorne, believing he had twice been robbed of the Premiership by the action of Roman Catholic representatives, clergy, and voters, would not be likely to consider the Bishop's requests sympathetically. Furthermore, even should Haythorne be willing to compromise on the School Question, men like Laird and Sinclair would not support him. The Liberal Protestant secularists had tighter control on the Party caucus than ever before, as they were now reinforced by two able and aggressive young men, Louis Davies and William D. Stewart.

Consequently, the Conservative Roman Catholics seemed to have no-one to turn to for support. Their response to this isolation was to delegate Sullivan and Augustine C. MacDonald<sup>56</sup> to approach the Bishop with an offer by those "who were free to do so"<sup>57</sup> to go into opposition in protest of J.C. Pope's refusal to meet their demands on the School Question. They were in effect suggesting the formation of a Catholic

<sup>55</sup> See J.C. Pope in Assembly Debates, 1873, p. 349. In 1873 David Laird became Opposition Leader in the Assembly.

<sup>56</sup> He had two older brothers who were also Roman Catholic M.P.P.s, Andrew A. and Archibald J. MacDonald.

<sup>57</sup> Letter of W.W. Sullivan to the Editor of Herald, undated, in Islander, November 28, 1873. See Note A, pp. 225-226.

'Centre',<sup>58</sup> which had recently been done in Germany. Bishop MacIntyre replied that such a course would be unwise, as it would simply lead to an 'all-Protestant government, in which men like David Laird, Peter Sinolair, and Benjamin Davies would occupy prominent positions.<sup>59</sup>

According to Sullivan, the Bishop proceeded to "ardently" urge the Roman Catholic Conservatives to help James Pope form a government.<sup>60</sup>

Pope had other problems, especially with Governor Robinson, who did not trust him to carry Confederation should he (Pope) fail to obtain 'better terms.' At the suggestion of Haythorne, Robinson had considered calling upon Haviland, rather than Pope, to form a cabinet.<sup>61</sup> Haythorne even expressed his willingness to serve under Haviland in a Protestant government. But Pope was saved by the fear of Robinson that he (Pope) might combine with the twelve Roman Catholics and two Anti-Confederates

58 The Centre was an all-Roman Catholic party which would support any party offering concessions to Catholics on subjects which they felt concerned their conscience or rights as Catholics. It was an outgrowth of the 'Kulturkampf,' which was itself partially a result of Pope Pius IX's aggressive conservatism; y. infra, p. 238-239.

59 There were ten Liberal Protestants and eight Conservative Protestants in the House.

60 Letter of Sullivan to the Editor of Herald, undated, in Islander, November 28, 1873. A.A. MacDonald later said that forming a 'Centre' at that time "would not meet with the approval of the great body of their supporters"; see A.A. MacDonald to the Editor of Herald, dated November 20, 1873, in ibid.

61 See Haythorne to Robinson, dated April 10, 1873, in Robinson to Kimberley, dated April 9, 1873 (confidential), C.O. 226, vol. 111, pp. 88-90; Robinson to Kimberley, April 9, 1873 (confidential), ibid., pp. 82-83; and Robinson to J.C. Pope, April 15, 1873, ibid., pp. 95-96.



to bring the House to a deadlock.<sup>62</sup> Hence the Governor finally requested Pope to form an administration. In so doing, Robinson tried to pledge the Conservative Leader to union, whether or not he could obtain 'better terms.' But the Governor failed dismally, as James Pope refused to commit himself to anything: he knew that he was the only one Robinson could find who was able to command a majority.<sup>63</sup> Through luck, in one case, and iron will, in the other, Pope was able to resume the Premiership with a cabinet of eight men, including three Roman Catholics.<sup>64</sup> Aware of the tenuous nature of his Catholic support, Pope also gave offices of emolument to Howlan, Sullivan, A.A. MacDonald, Emmanuel MacEachan, and John Alexander MacDonald.<sup>65</sup> Laird remarked that "In coalition No. 2, the only bond of cohesion is the 'loaves and fishes.'" <sup>66</sup>

With his house apparently in order, Pope left for Ottawa in the company of Howlan and Haviland. There they obtained 'better terms,' but by the time they returned, Bishop MacIntyre had changed his

62 Haythorne had pointed out that such a coalition would probably be based on non-Confederation, as well as concessions to the Roman Catholics on the School Question; see Haythorne to Robinson, dated April 10, 1873, in *ibid.*, pp. 89-90.

63 See the following seven letters: Robinson to Pope, April 15, 1873 (pp. 90-91); Pope to Robinson, April 15, 1873 (pp. 91-92); Robinson to Pope, April 15, 1873 (pp. 92-93); Pope to Robinson, April 15, 1873 (pp. 94-95); Robinson to Pope, April 15, 1873 (pp. 95-96); Pope to Robinson, April 16, 1873 (pp. 96-97); and Robinson to Pope, April 16, 1873 (pp. 97-98); all in *ibid.*, pp. 90-98.

64 They were Howlan, Sullivan, and A.A. MacDonald. Joseph Arsenault became the fourth Roman Catholic member in July of 1873.

65 They became Charlottetown Customs Collector, Solicitor General, Post Master General, Commissioner of Public Lands, and Railway Appraiser, respectively. Later in the year, Pope made Dennis Boddin County Court Judge for Kings.

66 *Patriot*, April 19, 1873.

attitude towards Confederation, and the Government itself. He now wished the Roman Catholic Legislators to all oppose Confederation unless his demands were met. His about-face was due to two telegrams which had arrived while the Delegates were in Ottawa. The first came from some Quebec Members of Parliament,<sup>67</sup> and made him angry: the Island Delegates had not said a word to the Dominion Government about making changes in the Free School Act.<sup>68</sup> The second raised his expectations: after talking privately with the Premier, Howlan wired Brecken and A.A. MacDonald to the effect that the 'better terms' were so good that the Government would be able to spare \$10,000 for the Bishop's schools.<sup>69</sup> MacDonald lost no time in passing the good news on to Bishop MacIntyre, who reacted by taking higher ground: it would be a complete separate school system, or nothing. With this

67 MacMillan, History of the Catholic Church in Prince Edward Island from 1835 to 1891, pp. 353-354. This writer has been unable to identify the Quebec M.P.s who sent the telegram, but it is probable that Hector Langevin, the only French Canadian on the four-man Privy Council sub-committee which negotiated with the Islanders, was one of them.

68 Ibid.; see also MacIntyre to a Roman Catholic M.P.P. (presumed to be Howlan), undated (presumed summer of 1873), in ibid., p. 357.

69 See Brecken in Assembly Debates, 1875, p. 312; and J.C. Pope in ibid., p. 351. Pope once in later years mentioned \$5,000 as the amount, but in this he was at variance with Brecken, who had received the telegram; possibly Howlan misunderstood the Premier, but in any case the sum designated in the wire appears to have been \$10,000. Pope also said that this was to be done "without any intention, whatever, of recognising the principle of denominational schools." Haviland was unaware of the conversation (with Pope) on which Howlan based his telegram. In 1875, he said that "I never heard a single word about it till I was on my way home in the steamer from Shediac." Brecken corroborated Haviland's statement. See Pope in ibid., pp. 350, 312; report of speeches by Pope and Howlan in Summerside on 3 September 1873, in Islander, September 19, 1873; Note A, pp. 225-226; Haviland in Assembly Debates, 1875, p. 311; and Brecken in ibid., p. 312.

in mind, he summoned all the Roman Catholic Legislators to the Episcopal Palace on 18 May.<sup>70</sup> He appears to have asked them to refuse to support Confederation on the floor of the House, unless separate schools were made part of the terms. The Members flatly refused, for two reasons: they were pledged to Confederation, and it would be financially disastrous for the Island not to unite with Canada.<sup>71</sup> When Pope heard of the meeting, he was not at all pleased with Bishop MacIntyre, and he rescinded the offer of \$10,000 to his (the Bishop's) schools.<sup>72</sup>

Pope's withdrawal of the \$10,000 promise did not improve his relations with the Bishop. The latter apparently raised such a furor behind closed doors that on 19 June, five days after the end of the Session, the Pope-Howlan group made a private gift of \$5,000 to the

70 Howlan was present, as the Delegates from Ottawa had already returned; see A.A. MacDonald to the Editor of Herald, dated November 20, 1873, in Islander, November 28, 1873.

71 Ibid.; J.C. Pope in Assembly Debates, 1875, p. 351; and MacMillan, History of the Catholic Church in Prince Edward Island from 1835 to 1891, p. 355.

72 See J.C. Pope in Assembly Debates, 1875, p. 351; also the report of the Summerside Journal, without a precise date, in Islander, June 27, 1873. William Pope allegedly edited the Journal in 1873, before becoming a Judge in July of that year. In October 1872 John Ings had sold the Islander to J.F. Brennan, an apostate Roman Catholic, who was on very bad terms with John Caven. The Patriot absorbed the Islander in mid-1874.

Bishop.<sup>73</sup> According to Pope and Howlan, this did not satisfy the Bishop, as a second \$5,000 was not forthcoming.<sup>74</sup> In any case, Prince Edward Island joined Canada on Dominion Day 1873, and eight days later the Herald turned on the Provincial Government. On 9 July it published the draft bill of 1868, with the assertion that

on these grounds the Catholic vote was secured....we think it as pure an act of treachery and deception as ever was met with in the history of public men. The Catholic constituencies gave to Mr. Pope a heaped measure of support; they performed their part to the letter of what was required of them....And what are our Catholic representatives doing after this act of treachery?....Count these men, and three-fourths of them will be found in the comfortable enjoyment of lucrative offices and emoluments under Government. They have forgotten their promises — but they have surely remembered themselves.<sup>75</sup>

73 See Patriot, June 21, 1873; Islander, June 27, July 18, and August 1, 1873; report of speeches by Pope and Howlan in Summerside on 3 September 1873, in ibid., September 19, 1873; letter of A.A. MacDonald to the Editor of Herald, dated November 20, 1873, in ibid., November 28, 1873; L.H. Davies in Assembly Debates, 1875, p. 354; and Note A, pp. 225-226. There is no evidence to indicate that this story was ever denied outright by Bishop MacIntyre or his organ, the Herald. Although what was revealed was generally credited, the full story was never told. J.F. Brennan's Islander at one point (1 August 1873) believed that the sum given to the Bishop was \$10,000. The source of the alleged gift is unknown: Laird believed it had been raised by subscription (Patriot, June 21, 1873). Many crucial numbers of the Patriot are missing for the months of May and June 1873.

74 See report of speeches by Pope and Howlan in Summerside on 3 September 1873, in Islander, September 19, 1873; also Patriot, June 21, 1873.

75 Editorial of Herald, July 9, 1873, as reprinted in Islander, July 18, 1873. The draft bill was reprinted in Patriot, July 17, 1873; see Note A, pp. 225-226. The Patriot greatly enjoyed the Government's discomfort, and solemnly asserted that "Mr. Laird has never deceived Catholics, by promising them one thing, and doing another"; Patriot, July 17, 1873. As for James Pope, "Neither side can trust him on the Education Question"; ibid., July 19, 1873. One reason for Davies' own spite against Pope and Howlan may have been their failure to award him the Queen's Printership. It went instead to Patrick E. Burns, who had succeeded Grant and Irving as editor of the Islander. Burns soon left that journal, and founded the New Age.

Caven continued the attack in the next number of the Herald:

The Draft Bill, we published last week shows the extent to which the Catholics of this Island were betrayed by Mr. Pope and his Colleagues. That Bill was the platform of the Ministry to Catholics before the elections....The Catholic electors....have been played with as a conjurer plays with balls— flattered by splendid prospects, and trapped into supporting men who have grossly betrayed them.... [Mr. Pope] professed himself prepared to adjust the question of education to the entire satisfaction of the Catholics.<sup>76</sup>

Aside from the fact that Caven ignored the pledges exacted from Pope and the Conservative Protestants, these editorials were based upon a very garbled chronology: the draft bill had been dead for the better part of a year. Nonetheless, Caven's assertions went largely uncontradicted for months.<sup>77</sup> What was important was that the official silence on the School Question had been broken: from July onwards, first the Bishop and then his erstwhile allies stepped into the light, and trumpeted their views, and their versions of what had gone before. The 'period of conspiracies' was at an end.

<sup>76</sup> Editorial of Herald, July 16, 1873, as reprinted in ibid.

<sup>77</sup> For the controversy which later arose out of Caven's attacks, I. infra, pp. 240-243; p. 240; nn. 45, 47; p. 241; nn. 48, 49, 50; and p. 242, n. 53.

## NOTE

Note A. Previous Accounts of the School Question in 1872 and 1873.

In both of the published works which deal with the meetings of various Roman Catholic M.P.P.s with Bishop MacIntyre in 1872 and 1873, the same mistakes are made. They are listed below simply to demonstrate that the current writer is aware that his account differs from those of Fr. MacMillan (History of the Catholic Church in Prince Edward Island from 1835 to 1891 [1913] ) and Fr. Bolger (Prince Edward Island and Confederation, 1863-1873 [1964] ).

(1) MacMillan on p. 353 and Bolger on pp. 260 and 263 give the reader to understand that the 'draft bill' was published early in the electoral campaign of 1873. There is no evidence to substantiate this, and to the best of the present writer's knowledge, its text was first published on 9 July 1873, by the Herald (of course this is exclusive of its original publication in the Islander of 29 May 1868). This was more than two months after the election.

(2) Both authors inaccurately date the origins of the draft bill and the Conservative caucus resolution. MacMillan gives the month between 15 February and 14 March 1873 (when Haythorne and Laird were in Ottawa) as the birth-date of both; Bolger apparently sees the period as being between the dissolution of the General Assembly (6 March 1873) and "early in the campaign," when the bill supposedly became public. Consequently, both authors also mis-date the meeting of A.A. MacDonald, Howlan, Connolly, and Bishop MacIntyre, as being in February or March of 1873. See MacMillan, pp. 349-353; and Bolger, pp. 259-263.

(3) MacMillan and Bolger seem completely unaware of the April meeting of Bishop MacIntyre, A.C. MacDonald, and Sullivan. The plenary gathering of 18 May at the Episcopal Residence is recounted without any reference to what had happened one month earlier. This is a serious flaw, if one wishes to gain a sympathetic understanding of the Roman Catholic Legislators' position in May: they had already offered, on their own volition, to go into opposition on the School Question, and on the Bishop's advice had decided against such a course. They had now committed themselves to the support of J.C. Pope, and did not consider it an honorable course of action to renege at this point. Thus, from an 'ultramontane' point of view, it was the Bishop, and not the Roman Catholic public men, who failed to stand 'shoulder to shoulder' in 1873, and it was he, not they, who was liable to the charge of inconsistency. See MacMillan, p. 355; and Bolger, p. 286.

(4) Howlan's telegrams to Brecken and A.A. MacDonald: both MacMillan and Bolger inaccurately give the sum mentioned as \$5,000 rather than \$10,000. They also fail to mention the private gift of \$5,000, from Pope to Howlan to the Bishop's school fund. See MacMillan, pp. 354-356; and Bolger, pp. 285-286.

These shortcomings arise from an insufficiently complete examination of the primary sources, especially the Islander newspaper for 1873, which does not appear to have been utilized at all.

## Part V

## "The Period of Talk"

1873-1876

(thesis)

In late 1873 and early 1874 Bishop MacIntyre enunciated an extreme ultramontane position, and combined with David Laird to utterly defeat the Pope-Howlan party in the first Dominion elections held in Prince Edward Island. The only results of the Bishop's actions and statements were to alienate his Protestant sympathizers, and to divide the Roman Catholic laity, for the Liberals renounced the strange alliance once they had derived all possible benefits from it. When the Provincial Government met the House in 1874, the Conservative Protestants were forced to rely upon the Liberal Opposition, led by Louis Davies, for support on the School Question. Over the final three sessions of the twenty-sixth General Assembly, the Government increasingly lost the initiative to Davies, as it received no leadership from Premier L.C. Owen. By 1876 the Opposition was able to force a Legislative inquiry into the workings of the school system, and to have their Leader named as its Chairman. The Committee's Report was to provide the factual background for an electoral campaign in which Davies said there would be "no side issues."<sup>1</sup>

<sup>1</sup> Assembly Debates, 1876, p. 210.



## Chapter Nine

On 17 September 1873, exactly ten weeks after the Herald's first denunciation of James Pope and George Howlan,<sup>2</sup> byelections were held for the six new Prince Edward Island seats<sup>3</sup> in the Dominion House of Commons. Led by David Laird, the Liberals won four of the six, less than half a year after their resounding defeat at Pope's hands in the Colonial election.<sup>4</sup> The major reason for this was that Bishop MacIntyre had changed sides, and vigorously campaigned against the Conservatives — on at least three occasions he denounced them from the pulpit.<sup>5</sup> Alexander Mackenzie came to the Island in late August, and although he missed meeting Laird,<sup>6</sup> who was several miles away from Charlottetown, he "saw several of the candidates and had full explanations with them."<sup>7</sup>

2 V. supra, p. 223.

3 There were three dual ridings, one for each county.

4 V. supra, pp. 214-217.

5 See Islander, August 22, 1873; letter of "Catholicus," dated September 22, 1873, in ibid., October 10, 1873; MacMillan, History of the Catholic Church in Prince Edward Island from 1835 to 1891, p. 356; MacIntyre to a Roman Catholic M.P.P. (presumed to be Howlan), undated (presumed summer of 1873), in ibid., pp. 356-358; and Landrigan, "Peter MacIntyre," p. 92.

6 Mackenzie to David Laird, September 20, 1873 (private), Mackenzie Letterbooks, vol. 1. pp. 89-90; also Patriot, December 25, 1873. Mackenzie arrived in the Province on 27 August, and left the next morning; see ibid., August 30, 1873. He had conversations with Louis Davies and Donald Currie (associate editor of the Patriot), as well as some candidates for the coming byelections. See Mackenzie to L.H. Davies, June 12, 1877 (private and confidential), Mackenzie Letterbooks, vol. 7, p. 539; also Patriot, January 10, 1874.

7 Mackenzie to Richard J. Cartwright, September 4, 1873 (confidential), Cartwright Papers. Peter Sinclair was among those whom Mackenzie interviewed; see Robert Hodgson to John A. Macdonald, September 26, 1873, John A. Macdonald Papers, vol. 119, p. 48278.

He also visited the Bishop,<sup>8</sup> and whatever he said to MacIntyre was sufficiently satisfactory<sup>9</sup> that two Roman Catholics who had been elected as Conservative Assemblymen in April 1873<sup>10</sup> were among the six federal Liberal candidates. Although the two lost to Pope and A.C. MacDonald, the Protestant Liberal candidates<sup>11</sup> were able to defeat Howlan, Frederick Brecken, and Dr. John T. Jenkins.<sup>12</sup> The Roman Catholic laity had apparently split between supporting James Pope and the Bishop, and this was all the Liberals needed, as Catholic support for the Conservatives had been virtually unanimous in the last Colonial election.

The September byelections and the appointments consequent upon the Island's entry into Confederation denuded the new Province of some

8 Mackenzie to Cartwright, September 4, 1873 (confidential), Cartwright Papers.

9 After talking with the Bishop, Mackenzie suggestively wrote to Cartwright that MacIntyre was "a ponderous political personage...who has 40,000 of the 90,000 in the Island in his flock"; ibid. Mackenzie's opinion, and his advice to the P.E.I. Liberals, was to the effect that a compromise solution would have to be reached on the School Question, and the issue settled, before the Island could expect a return to stable local government. See Mackenzie to L.H. Davies, February 19, 1875 (private), Mackenzie Letterbooks, vol. 4, pp. 197-198; Mackenzie to Davies, June 12, 1877 (private and confidential), ibid., vol. 7, pp. 539-540; and MacIntyre to Darby Bergin, October 22, 1873, Mackenzie Papers, pp. 280-281.

10 These were Stanislaus Perry and James R. MacLean; after his defeat, the latter contested and re-won his seat in the Assembly.

11 The successful Liberals were David Laird, Peter Sinclair, Daniel Davies, and James Yeo Jr.; the latter two were former Tories who had left Pope and Howlan over the Railway Question.

12 First elected to the House of Assembly as a Liberal in 1867, Dr. Jenkins had been out of active politics since 1870. Now a Conservative, he contested and won the Charlottetown seat which James Pope had vacated upon running for the Dominion House. The Tories had only fielded one candidate (A.C. MacDonald) in Kings.

of its most capable if factious public men. James Pope, David Laird, and Peter Sinclair went to the House of Commons, and two of the losers, Howlan and Brecken, were offered Senatorships. The Attorney General declined the appointment,<sup>13</sup> but Howlan accepted and joined Robert Haythorne, Heath Haviland, and Donald Montgomery<sup>14</sup> in the Dominion upper chamber. With the exception of Haviland, who retained his seat in the Assembly and his office of Provincial Secretary, all those mentioned above, as well as William Pope and Edward Palmer, who had been appointed County Court Judges, more or less withdrew from local politics.<sup>15</sup> In a sense this was ironic, for it had been a local issue, the School Question, which had determined the outcome of the first Dominion elections on Prince Edward Island.<sup>16</sup>

13 See Brecken to Macdonald, Telegram, October 7, 1873, Macdonald Papers, vol. 119, p. 48283. After the September elections, William Pope had recommended Brecken for the Senate; see W.H. Pope to Macdonald, September 23, 1873 (private and confidential), ibid., p. 48264.

14 Montgomery had been President of the Legislative Council since 1863, when it became elective. Previously he had served in the Assembly from 1838 to 1862; as a Senator, he survived until 1893. He was 'Big Donald' Montgomery, and is not to be confused with (a) 'Little Donald,' who was a Conservative M.H.A. from 1859 to 1866, and (b) the Donald Montgomery from Valleyfield, P.E.I., who became Head-Master of the Normal School in 1874.

15 Haythorne, who had only one more session to serve before his term expired as an M.L.C., sat again in 1874 so as to save the Province the expense of a byelection. Montgomery resigned early in the Session of 1874; see Legislative Council Journal, 1874, p. 14. Laird's editorial duties were assumed by Henry Lawson, the former Master of the Normal School (1868-1870) who had previously written for the Journal, Examiner, and Progress (v. supra, p. 179, n. 66; and p. 188, n. 104).

16 Perhaps it should be noted that of the five men who had composed the two negotiating teams that went to Ottawa in 1873, two (Pope and Laird) became Dominion Ministers, three became Senators (Howlan, Haviland, and Haythorne), and three eventually became Lieutenant Governors (Laird, Haviland, and Howlan).

Bishop MacIntyre knew that he had played a crucial role in the recent contest, and on 22 September he sent the following message to Dr. Darby Bergin, a Liberal Roman Catholic Member of Parliament for Cornwall, Ontario:

Both the parties here are well aware that it was on account of the prospects held forth to me by Pope's party on the School Question before the last General Election that I got them into power. And the withdrawal of my assistance in consequence of their treachery has caused their present defeat. & They need not think for a moment, whatever party may be in power, that we will give up the matter....<sup>17</sup>

He also thought that the local Conservative Government, now led by Lemuel C. Owen,<sup>18</sup> was vulnerable. Although Owen was a successful businessman, he had no apparent political ability. He certainly lacked the qualities of leadership, and, if anything, was even more of a compromise choice than Haythorne had been in 1869.<sup>19</sup> At least three of his Executive Councillors — Haviland, Brecken, and W.W. Sullivan<sup>20</sup> — had much more political skill and force than he, and in this situation the Bishop wrote that "it is quite possible that when

<sup>17</sup> MacIntyre to Bergin, September 22, 1873, Edward Blake Papers, General Canadian Political Correspondence, Reel M-243 (P.A.C.), letter #66. This letter was brought to the attention of the current writer through the kindness of Miss Susan M. Martin, who was then (1965) a student at Mount Allison University in New Brunswick. Judge Pope was also of the opinion that the Bishop's role had been decisive; see W.H. Pope to Macdonald, September 23, 1873 (private and confidential), Macdonald Papers, vol. 119, pp. 48261-48264.

<sup>18</sup> Premier Owen was a son of the late Thomas Owen Sr. (Y. supra, pp. 55-60). He had been elected in 1867, 1870, and 1873, and defeated in 1872; he had served as Post Master General from 1860 to 1867.

<sup>19</sup> Y. supra, p. 192.

<sup>20</sup> After Howlan went to Ottawa, Sullivan became the leading Roman Catholic M.P.P.

all the vacancies, caused by the Dominion elections, are filled up, they will find themselves in a minority<sup>21</sup>....It is useless to attempt ruling a country with about four-ninths of the people opposed to them." However, MacIntyre had "not this far received any intimation from Mr. Mackenzie's friends here as to their intentions respecting the School question."<sup>22</sup> The Bishop continued to hear nothing from the local Liberals, for they were now led by an adamant secularist, Louis H. Davies.<sup>23</sup>

Within a month, MacIntyre had again written to Dr. Bergin, but this time his tone reflected uncertainty and apprehension:

no overtures have been made to me by the opposition....it prevents our Catholic population in a great measure from espousing the cause of the opposition. Without any overtures or promises from that party, our people do not see any object to be gained by deserting the Government....if fair terms were offered us, there would not be much difficulty in ousting the Government:<sup>24</sup>

21 The Bishop's hopes did not materialize; the partial elections resulted in practically no change in the balance within the Assembly.

22 MacIntyre to Bergin, September 22, 1873, Blake Papers, General Canadian Political Correspondence, Reel M-243 (P.A.C.), letter # 66.

23 He was the sixth Liberal House Leader in six years; from 1869, the others had been the following: Joseph Hensley, George Howlan, Benjamin Davies, Peter Sinclair, and David Laird.

24 MacIntyre to Bergin, October 22, 1873, Mackenzie Papers, pp. 280-281.

He asked Bargin to use

your influence with your friends at Ottawa, to induce them to urge the Island Opposition to make us a fair offer, or to give us the Quebec School Bill....Will you, dear Sir, and Mr. Mackenzie reason with Messrs. Laird, Sinclair, Yeo, Montgomery, and Haythorne (our Island representatives) about this matter, without compromising in any way my name.<sup>25</sup>

Were this to fail, the Bishop could promise that the issue "must eventually come up before the Dominion Parliament, for the General Government will be expected to take such measures as will ensure peace throughout all its Provinces."<sup>26</sup>

The Bishop waited in vain for Louis Davies to make a bid for his support in return for concessions on the School Question. But the implied rebuff did not discourage MacIntyre: he redoubled his efforts, and in November went to Ottawa to confer on the matter with Mackenzie, who was now the Canadian Prime Minister. It is likely that Mackenzie promised to continue to advise Davies to compromise, and it appears that he (Mackenzie) pledged not to interfere, should the Bishop obtain his desired amendments to the Education Law.<sup>27</sup> The result was continued cooperation between MacIntyre and the federal Liberals of Prince Edward Island. The latter were of course on the ascendant, for this was the time of the Pacific Scandal, which reinforced old Island prejudices against Canada, and that embodiment of Canadian perfidy, John A. Macdonald.

25 Ibid. Of the Liberals, the Bishop forgot Daniel Davies.

26 Ibid.

27 Islander, December 5, 1873; Brennan said that a report to this effect was current in other Dominion papers. On first glance this may not seem too significant a promise, but at the time there was considerable discussion of the possibility of 'remedial action' under Section 93, subsections 1, 3, and 4 (y. supra, p.213, and p.214, n. 42) of the B.N.A. Act in the case of the New Brunswick School Question. Also see Argus, December 2, 1873.

On 2 December 1873, when David Laird offered for re-election after accepting the Ministry of the Interior in the Liberal Cabinet, he was acclaimed.<sup>28</sup> Laird was at the height of his prestige on the Island. When Chief Justice Robert Hodgson and Judge William Pope had written confidentially to Macdonald in September, advising him of the byelection results, they had pictured Laird as virtually controlling the votes of Sinclair, Yeo, and Daniel Davies. Pope described him as "a clever, hard-headed fellow, intellectually of the stamp of Mackenzie,"<sup>29</sup> and Hodgson had praised him as "a good debater, fluent and a good reasoner and writer, accustomed of late years to stormy political arenas and to lead in them. He is ambitious, persevering and industrious."<sup>30</sup>

Together Laird and the Bishop swept all six constituencies when the general federal elections for the Island were held on 5 February 1874.<sup>31</sup> James Pope did not contest his seat, and was replaced by Stanislaus Perry; A.C. MacDonald ran, but lost to Dr. Peter A. MacIntyre, a nephew of the Bishop. In retiring from the contest, James Pope gave as his reason his belief that any Roman Catholic who supported him would incur "ecclesiastical censure" — and he had no desire to place his friends in such a position.<sup>32</sup>

28 Patriot, December 4, 1873.

29 W.H. Pope to Macdonald, September 23, 1873 (private and confidential), Macdonald Papers, vol. 119, p. 48255.

30 Hodgson to Macdonald, September 26, 1873, ibid., pp. 48276-48277.

31 No one opposed Laird and Sinclair.

32 Written statement of J.C. Pope, dated January 27, 1874, in Examiner, February 2, 1874.

The Herald denied that the Bishop was dictating for whom to vote,<sup>33</sup> but this disclaimer must be considered against the background of recent declarations of policy which had emanated from the Roman Catholic Church in the Maritime Provinces in general, and Prince Edward Island in particular. On 25 November 1873 the six Roman Catholic Bishops of the Maritime Provinces had issued a pastoral letter which had said, in part:

nous sommes à présent obligés de vous montrer les nombreux dangers qui menacent la Foi de la génération Catholique naissant dans ce pays-ci. Nous apprécions beaucoup les avantages d'une éducation séculière, néanmoins nous apprécions infiniment plus l'inestimable bienfait d'une éducation religieuse de l'enfance. Le contraste entre les deux est de même que celui entre le corps et l'âme, entre la terre et le Ciel, entre la Creature et le Dieu.  
....Comme Catholiques nous formons presque la moitié de la population de la Puissance du Canada, et nous avons, par conséquent, un droit indubitable d'obtenir dans les Provinces Maritimes, ce qu'une majorité Catholique a accordé à une minorité Protestante dans la Province de Québec, et ce qu'une majorité Protestante accorda à une minorité Catholique dans la Province d'Ontario, après quelques années d'agitation.... nous ne serons pas contents avec moins que cela.<sup>34</sup>

The Bishops went on to quote Pope Pius IX: "Aucun Catholique ne peut pas (sic) approuver un système d'instruire la jeunesse qui n'est pas uni à la Foi Catholique — un système qui regarde la connaissance des choses naturelles comme la grande fin de la vie sociale." Thus they declared

<sup>33</sup> Editorial of Herald, cited without a precise date, in Patriot, January 31, 1874; obviously it appeared between 27 and 31 January.

<sup>34</sup> Pastoral letter of the Archbishop of Halifax, and of the Bishops of Charlottetown, Saint John, Arichat, Chatham, and "Titopolis," "Au Clergé et aux laïques de leurs Breuveaux," dated November 25, 1873. MacLure's Papers. The contents of this, and MacLure's pastoral (y. laim, pp. 236-238), were apparently published in most of the newspapers before the election of 5 February 1874. The French version cited here was doubtless intended for Acadian parishes.



such education to be "positivement injurieuse à la jeunesse Chrétienne," and in contravention of "le droit naturel de nos citoyens Catholiques."<sup>35</sup>

The above pastoral was doubtless a response to the School Question in New Brunswick, where the Common Schools Act of 1871 had allegedly infringed upon rights or privileges protected under Section ninety-three of the British North America Act.<sup>36</sup> But Bishop MacIntyre was quick to find an application of these sentiments to the situation in the Diocese of Charlottetown: on 22 December 1873 he issued a pastoral letter of his own, in which he stated that

we should always remember that we are 'to seek first the kingdom of God, and his righteousness, and then all other things will be added unto us.'....There can be no real distinction between the citizen and the Christian....

Education consists in the perfection of our faculties; it is therefore a developing of the intelligence to enable it to grasp truth, and a training of the will to induce it to follow truth. Education, then, has for its object the cultivation of the spiritual powers of man, and consequently it is a spiritual function. Hence, there is no such thing as secular education. From this it is evident that the State has no right to control Education. Education being a spiritual function, its direction belongs to the spiritual kingdom of Christ upon earth, that is the Church. Hence when the State introduced a system of Education independent of the Church, it wandered beyond its sphere, and usurped the right of another....

It is commonly pleaded on behalf of what is called Free Education, that a knowledge of reading, writing and arithmetic is purely secular, and that it is with the teaching of such things only that the State interferes. But apart from the fact that there is no knowledge or truth unconnected with God, and apart also from the fact that even this kind of training regards the spiritual part of man; we have a ready answer to this specious argument. 1st. Such training is not, in the legitimate sense of the term, Education. 2nd. The effects of such a system, as experience proves, are pernicious. We have seen that Education develops the understanding and trains the will to virtue. But such a system allows the will to follow the bent of its own inclinations; therefore it is not education, it is a mere fragmentary culture, which renders the recipient more dangerous to society, inasmuch as it makes him more powerful for evil.

<sup>35</sup> Pastoral letter of the Archbishop of Halifax and of the Bishops of Charlottetown, Saint John, Antigonish, and "Titopélie." "En réponse et aux laïques de leurs troupeaux," dated November 22, 1871. *Moniteur Canadien*.

That the effect of this system is pernicious, is self-evident. A child brought up without hearing God mentioned in connection with science, will naturally be led to think that Science has no co-ordination with God, that God has naught to do with civil affairs, that perhaps he does not even know the truths discovered by modern investigations. Hence, the race of conceited scientists who arrogate to themselves all wisdom, and ignore the fostering Providence of God. Hence, the race of frothy political demagogues, who demoralize society by their electioneering trickeries, and injure its true interest with their policy of expediency. Hence, the race of self-styled leaders of public opinion, who deprave the minds of the ignorant readers with their own ignorance, presumption and Wigotry. Hence, the race of Communistic leaders, who excite popular discontent in order to profit by a social revolution. Reflecting minds, irrespective of religious tenets, have at all times condemned a secular system of training....

....Now, authentic statistics of the United States prove that of criminals, a majority have been educated in the public schools. Were it to the interest of society to have ingenious swindlers and forgers, this interest would certainly be promoted by free schools....we raise our voice, and claim, not as a favor but as a strict right, the freedom of education enjoyed by the Protestant Minority of Quebec and the Catholic minority of Ontario. This is what we demand; with nothing less can we be satisfied.... We cannot serve God and Mammon. If you believe Mammon to be the true God, say so, and withdraw your names from the list of Catholics. If not, let God and conscience be your motto. On purely civic questions there may be diversity of opinion — on questions of faith — none. The principle for which we contend is one of conscience, hence it is a platform on which all can, and ought to be united. No matter what ties may bind us to a man, or a party, they ought to be broken, if necessary, to obtain the right we seek. The duty of Catholic electors is plain; support, neither directly nor indirectly, any man or party that will not modify the education law, so as to enable Catholics to enjoy the freedom of education enjoyed by the Catholics of Ontario, Manitoba, Vancouver Island and Quebec.

We care not what may be the name of any particular party; we must rise above party distinctions and unite on a principle of conscience. No middle course is possible....

The Education Law as it stands at present is virtually Protestant, and unjust to Catholics. We must battle against this injustice if we prize the eternal welfare of our children ....it is not a few short hours devoted once in the week to religious instruction, which can give to the youthful mind that religious firm capable of moulding the actions of a life-time. Religious instruction, to be effectual in after life, must in youth be continuous. It must not be confined to a day or an hour.

It must go on from morning to night, and from week to week. It must permeate the incidents of every day's routine, and be inhaled, so to speak, with the very atmosphere of the Schoolroom.

This together with the accompanying Pastoral shall be read and thoroughly explained in every Parish Church of this Diocese....<sup>37</sup>

The ideological position of the Roman Catholics of Prince Edward Island had come a long way since Bishop MacDonald's "godless schools" letter of 7 November 1856:<sup>38</sup> in 1858, 1860, and 1861 they had sought public aid for St. Dunstan's College; in 1868 they had widened this to include the Bishop's schools in the towns and villages of the Island; in 1872 the Bishop had privately professed admiration for the Quebec School Law; and in May of 1873 he had demanded a full separate school system.<sup>39</sup> He now provided philosophical underpinnings for his programme.

The explanation for Bishop MacIntyre's position is two-fold: in the first place, the Roman Catholic Church throughout the world was in a process of reaction to the attacks on authority and traditional beliefs which had begun with the Enlightenment and the French Revolution, and which were continued in the actions of revolutionaries like Garibaldi,

<sup>37</sup> Pastoral letter of Bishop Peter MacIntyre to the Clergy and Laity of the Diocese of Charlottetown, dated December 22, 1873, MacIntyre Papers. The pastoral referred to in the last line of the quotation was that of the six Bishops, dated 25 November 1873. The Examiner agreed that education was "a spiritual matter, which must be carried on wholly under the influences of religion" (January 19, 1874).

<sup>38</sup> Y. MURKIN, pp. 4-5; also p. 91, n. 69.

<sup>39</sup> Y. MURKIN, p. 50 ; p. 50, n. 104; pp. 75-76 ; p. 75, n. 14; p. 86, n. 15; pp. 99-103; Note A, pp. 150-152 ; pp. 180-183 ; p. 180, n. 72 ; p. 212 ; p. 212 , n. 36 ; and p. 221 . Also see Howlan's remark in 1868; Y. MURKIN, p. 183 . As early as 1863 the Examiner had stated that "A Catholic should be educated as a Catholic, and a Protestant as a Protestant" (November 11, 1863).

and the writings of thinkers such as Charles Darwin. In 1854, without consulting a Council, the Pope had promulgated the Dogma of the Immaculate Conception, the first such pronouncement since the Counter Reformation. Ten years later he published the 'Syllabus of Errors,'<sup>40</sup> which condemned the liberal and radical doctrines of the age. The wave of reaction culminated in 1870 with the Dogma of Papal Infallibility, which proclaimed the Pontiff incapable of error when speaking ex cathedra on matters of faith and morals.<sup>41</sup>

Peter MacIntyre was not at all disturbed by this trend within the Roman Catholic Church. On the contrary he welcomed it; in 1865 he had warmly recommended the Syllabus of Errors to the attention of the clergy and laity of his Diocese, endorsing the attack upon "all these pestiferous doctrines of modern times."<sup>42</sup> At the Vatican Council of 1869 and 1870 he was the only Infallibilist among the Maritime Bishops.<sup>43</sup> As well as his

40 Among the propositions which Pius IX condemned in this document are the following: "Every man is free to embrace and profess the religion he shall believe true, guided by the light of reason"; and "the Church ought to be separated from the State, and the State from the Church."

41 This new interpretation of the spiritual position of the Pope within the Church did not meet an enthusiastic response among the more liberal members of the Roman Catholic laity. In England Lord Acton denounced it as a "soul-destroying error," and in Germany von Dollinger aided in the establishment of the Old Catholic Church, which refused to accept the dogma.

42 Circular to the Clergy and Laity of the Diocese of Charlottetown (from Bishop MacIntyre), dated August 29, 1865, MacIntyre Papers.

43 Landrigan, "Bishop MacIntyre," p. 90; also MacMillan, History of the Catholic Church in Prince Edward Island from 1835 to 1891, pp. 283-284. Even among the Bishops assembled at the Vatican Council, the Pope encountered considerable opposition to the promulgation of his new dogma: after two months, the first vote sustained him by a margin of 451 to 150; of the thirty Bishops from the United States, all but eight were opposed. See Paul Blanchard, American Freedom and Catholic Power (Boston: 1958; second edition), pp. 32-34.

conservatism, Bishop MacIntyre's concern for education was undeniable: as early as 1850 School Visitor John Arbuckle Sr. had commended his efforts to interest his parishioners in the schooling of their children.<sup>44</sup>

If the two pastorals of November and December 1873 did not clear up any remaining confusion as to where the Bishop stood politically in late 1873 and early 1874, a local dispute which erupted in November served to remove all doubt on the subject. John Caven, apparently with MacIntyre's approval, launched a vigorous attack upon the Roman Catholic Legislators who had allegedly let the Bishop down on 18 May 1873.<sup>45</sup>

Howlan, Sullivan, and A.A. MacDonald, as the leading Catholic public men, reaped the lion's share of the criticism. Howlan, who was now a Dominion Senator, did not bother to reply, but A. A. MacDonald<sup>46</sup> quickly cleared himself by referring to the Bishop's statement at the meeting in May that he (MacDonald) had been guilty of no deception.<sup>47</sup>

<sup>44</sup> Legislative Council Journal, 1850, Second Session, Appendix No. 1, p. 6; also Assembly Journal, 1852, Appendix V, p. 122. Arbuckle was at this time School Visitor for Prince County.

<sup>45</sup> Y. supra, p. 222. Caven referred to the twelve Roman Catholic M.H.A.s as "the Devil's Dozen"; Herald, October 29, 1873, quoted in Islander, November 7, 1873. The Herald and the Examiner, the two papers in which the controversy raged, are missing for 1873. The Examiner, which was now edited by William L. Cotton, supported Sullivan; Cotton was a one-time editor of the Summerside Journal who had recently worked for the Halifax Citizen.

<sup>46</sup> MacDonald was no longer an M.L.C., as he was in charge of the Island postal service.

<sup>47</sup> Letter of A.A. MacDonald to the Editor of Herald, dated November 20, 1873, in Islander, November 28, 1873. This statement by MacDonald does not appear to have been denied.

In Sullivan's case, Caven appealed to Father Daniel J. Gillis to substantiate his accusations of perfidy.<sup>48</sup> Gillis, who was the Solicitor General's parish priest, responded by saying he was "under the impression" that Sullivan had promised Bishop MacIntyre he would settle the School Question if elected.<sup>49</sup> However, Gillis appears to have made this charge over-hastily, as he did not appeal to MacIntyre for confirmation, although challenged to do so.<sup>50</sup> Instead he produced letters from two of Sullivan's constituents; these statements appeared

48 Letter of Caven to Gillis, dated October 30, 1873, from Herald, November 5, 1873, reprinted in Argus, December 23, 1873. The Island Argus was edited by James H. Fletcher, a former Tenant Leaguer and sometimes-Orange-man. A native Islander who had travelled widely, he was a popular public lecturer throughout the Maritime Provinces. Fletcher had founded the Argus in 1869, and in his columns he consistently supported the Pope-Howlan coalitions. A former district school teacher, he was a defender of the non-sectarian school system.

49 See summary of Gillis's letter (no date given), as epitomized in ibid., December 16, 1873. For Sullivan's denial, see Sullivan to the Editor of Herald, undated, in Islander, November 28, 1873. As Fletcher pointed out, there was no doubt that Sullivan was in favour of altering the Education Law — in fact it appears that he was willing to join any party that promised to 'settle' the School Question — but whether he had promised to bring this about personally was a different matter. See Argus, December 2, 1873.

50 The challenge had been issued by Sullivan; see ibid., December 16, 1873. Fletcher made the following comment: "If Father Gillis's 'impressions' were really correct, he went a long way round to prove them. Why did he not write to the Bishop, as the Bishop's answer would have settled the matter?" (ibid.) Sullivan stated that after the appearance of Gillis's letter he had seen the Bishop personally, and that MacIntyre, though not expressing total satisfaction with the Roman Catholic M.P.s, had accused only A.A. MacDonald and Howlan of deception. (Sullivan added that he expected the latter two could "fully vindicate themselves.") See letter of Sullivan to the Editor of Herald, undated, in Islander, November 28, 1873. Apparently the Bishop had changed his mind regarding MacDonald, since 18 May (y. supra, p. 240 ).

to verify the priest's story,<sup>51</sup> until the supposed signers wrote to the Examiner to the effect that they had, under pressure, signed documents produced by Gillis, but not those which the Herald had published over their names.<sup>52</sup> These sordid revelations between November and January had two useful effects: they served to illuminate what had happened relative to the School Question in 1872 and 1873, and they made it plain that the ultra-clerical group among Island Roman Catholics had broken with the Conservative Party.<sup>53</sup>

The Bishop and those who held his position on the School Question had indeed severed their connections with Owen, Haviland, Brecken, and Sullivan, but they were soon to also find themselves without friends among the local Opposition. The Bishop's pastoral had mobilized non-Roman Catholic opinion: fifty-one Protestant clergymen signed an "Appeal to the Protestants of Prince Edward Island," in which they said that

It must be manifest to all, from the Pastorals issued by the Roman Catholic Bishops of these Provinces on the question of Education, that united action on this question

51 The letters of Messrs. James Phelan and Martin Sinnott were published in the Herald; see Argus, December 16, 1873.

52 Ibid.; the number of the Examiner in question appears to have been dated 8 December, 1873.

53 The whole Gillis-Sullivan dispute is reminiscent of the battle between William Pope and Fr. Angus MacDonald in late 1862; in both cases, Bishop MacIntyre permitted, if not encouraged, a subordinate clergyman to engage in public controversy on matters about which he (the subordinate) was not fully informed (y. supra, pp. 123-125, and Note A, pp. 150-152). Fletcher reported that Gillis, in a letter published in Herald, December 17, 1873, claimed to speak with the Bishop's authorization; see Argus, December 23, 1873.

has been secured on the part of the whole clerical body of that Church — the result confessedly of directions received from the Vatican....Protestants should and must ...resist all unjust and arrogant pretensions from Rome.

....The present School System is based upon entire justice to all, and makes no distinction whatever between Protestants and Roman Catholics. While the Bishops in these Provinces have made many assertions to the contrary, they have failed to furnish a single fact in proof that our present School system confers any privileges on Protestants not equally shared by Roman Catholics. Whilst the cry of injustice is raised against it, the truth is that in its very impartiality lies its chief defect in the estimation of the Bishops, who wish to supplant it by a system which would assure special advantages to their Church....we must regard it as an act of unwarranted audacity to demand that the Protestant inhabitants of this country should help to propagate principles which they hold to be subversive of the truth of God and on account of which our Fathers endured so much.

....[Protestants] must, when called upon to exercise their franchise, sink all past and party feelings, and recognize but two parties viz. the true Protestant, who values and maintains Protestant rights on the one side, and on the other the real Roman Catholic and the venal time-server forming a party ever ready to sacrifice our interests, and subject ourselves and our children to such tribute as the dictates of Romish Bishops may impose.

....You and we are now on the defensive. This is not a time for hesitation. The path of duty is plain, and we feel confident that you will follow it.<sup>54</sup>

The Liberals soon left their uneasy alliance with Bishop MacIntyre, for it became even more uncomfortable on 11 February, six days after the Dominion elections on the Island. On that date, the Herald published "the Bishop's Draft Bill," embodying MacIntyre's full demands in matters of 'religion and education.' The proposed measure would create a virtual

<sup>54</sup> See Examiner, March 9, 1874. Included among the signers were the Revs. Messrs. Louis C. Jenkins, David Fitzgerald, Thomas Duncan, Isaac Murray, R.S. Patterson, James Allan, Robert Laird, and Alexander Munro. The Free-Secession Presbytery unanimously passed a resolution expressing the same views; see Minutes of the United Presbytery (P.E.I.), February 25, 1874.



'imperium in imperie' as far as schools in districts two-thirds of whose children were Roman Catholics were concerned. An entirely-Catholic five-man 'sub-Board' of the Board of Education would have complete control over the books, curriculum, and regulations observed in these schools, whose teachers would not have to be examined by the Provincial Board. In addition, the five Roman Catholics in charge of the Catholic separate schools would have a full voice (on a Board of eleven) in the management of the other schools throughout the Island — including whatever Protestant separate schools were established under the Bill.<sup>55</sup> This of course gave the Liberals their 'out': the Patriot stated that

There will be no uncertainty, after this, no uncertainty as to what the Bishop wants....nothing less than the complete subversion of the secular school system, and the establishment, in its stead, of State paid denominational schools, will satisfy His Lordship Bishop MacIntyre. We have here no request for aid to the 'Bishop's charities' — no claim for State aid towards the maintenance of Catholic schools in the Towns — but a clear and unmistakable demand for Separate Schools in all parts of the Province. The 'School Question' is thus cleared of all ambiguities and uncertainties. For this both

55 From Herald, February 11, 1874, as reprinted in Patriot, March 7, 1874. Less than a week after the publication of this document, the Grand Orange Lodge of the Province unanimously resolved not to vote for a Roman Catholic in any instance where a Protestant was also running; see Thirteenth Annual Report, Grand Orange Lodge Records (P.E.I.), 1874, p. 21.

the friends and the opponents of denominational education have reason to thank those who drew up and published this Draft Bill.<sup>56</sup>

The editor then detailed his objections to the provisions of the Bill — which amounted to unequivocal opposition to it, — and ended with the declaration that "We cannot, for our part, see any essential difference between paying the schoolmaster to teach religion in a school-house, and paying a clergyman to teach the same religion to adults in a church."<sup>57</sup>

The Liberals had obtained all they could from the Bishop without giving something in return. They had accepted his electoral aid without comment:<sup>58</sup> for once it was the Tories who were caught in the crossfire over 'religion and education.' But now considerations of consistency and prior commitments demanded that they speak out. This they did: the Session of 1874 opened on 5 March and eight days later,

<sup>56</sup> Patriot, March 7, 1874. The term 'the Bishop's charities' had frequently been applied to the Roman Catholic schools in the towns and villages of P.E.I., as the instruction was provided gratuitously to those unable to pay the fees. The delay in the Patriot's declaration of policy concerning "the Bishop's Draft Bill" may have been owing to Henry Lawson's having to consult Laird, who was in Ottawa. Or Lawson may simply have been waiting for the Session to begin (it opened on 5 March). In explanation of the Patriot's silence on the School Question over the past several months, Lawson said he had abstained from comment as long as the Bishop only sent out pastorals to his own flock — as the Patriot had little influence among Island Catholics — but that it was a different matter when he (the Bishop) published a Draft Bill meant for the eyes of the entire population of the Island (see ibid., March 14, 1874).

<sup>57</sup> Ibid., March 7, 1874.

<sup>58</sup> The electoral cards of Laird and Sinclair did not mention the School Question (see ibid., January 17, 1874); on this subject they let the Bishop do all the talking. After the election, the Patriot explained that any discussion of the School Question at a Dominion election would be pointless, as education was a field of jurisdiction reserved for the Provincial Government; see ibid., February 14, 1874.

when the School Question first came up for discussion, Louis Davies warned the Roman Catholic Members not to bother trying to extract concessions from him in return for office, for although the School Question "might be the means of keeping them [the Liberals] out of power until their hair became grey,...they would never yield."<sup>59</sup> This declaration was unanimously backed by Davies's supporters in the Assembly, albeit the relevant decision taken in caucus had driven from their camp Thomas Kelly,<sup>60</sup> a Roman Catholic who had left the Conservatives.

Kelly and Nicholas Conroy,<sup>61</sup> two Catholics who had flirted with the Liberals, now had nowhere to go: they had rejected the Government, and had been rejected by the Opposition. This being the case, they formed a sort of two-man 'Centre Party,' and pledged to embarrass the Government at all available opportunities, by bringing up the School Question.<sup>62</sup>

<sup>59</sup> Assembly Debates, 1874, p. 135; when he made this statement, Davies was twenty-nine years of age. He had been Haythorne's Solicitor General in 1870, and this experience, along with influence of his father, may partially account for his unbending attitude.

<sup>60</sup> V. supra, p. 215, n. 49. Kelly's pledge in 1873 had been that he would not vote for amendments to the non-sectarian principle in the Education Law without first submitting the question to his constituents. For the Liberal press's criticism of his conduct in the House — i.e. advocating changes in the Education Act while pledged to its maintenance, — see Patriot, March 14, 1874. Kelly believed he had been deceived into joining the Liberal caucus, although he stated that none of the Liberal M.H.A.s had misled him; see Assembly Debates, 1874, p. 133.

<sup>61</sup> After Howlan's departure to Ottawa, Conroy had won the vacated seat in Tignish.

<sup>62</sup> Assembly Debates, 1874, pp. 132-134. Bishop MacIntyre's recent pastoral had indicated that he favoured Centrism; v. supra, p. 237.

This was a continuation of the Roman Catholic desertion of the Provincial Government, which had begun in September.<sup>63</sup> Perhaps the Tories had expected the uncompromising attitude of Louis Davies to drive the dissident Catholics back to the fold, but this counter-movement did not seem to be developing.<sup>64</sup> The existence of the Centrists irritated the Catholic Ministerialists, and frightened the Conservative Protestants. The latter knew that any desertion of the Government by its Catholic supporters en masse would demolish the administration, and this time the result would be unpredictable, for in Louis Davies they were facing a much more adroit politician than Robert Haythorne. Yet the Conservative Protestants were bound by their pledges to their constituents,<sup>65</sup> and hence they could not afford to make a move. The Owen Government simply lapsed into paralysis on the School Question.

The moment of trial came on 22 April when John Alexander MacDonald,<sup>66</sup> a Conservative Catholic Assemblyman, presented the following resolution:

63 See Argus, September 16, 23, October 7, 1873, January 27, and February 3, 1874. Fletcher was bitterly critical of Perry, Conroy, Thomas Kelly, and P.A. MacIntyre — e.g., he called Conroy's Centrist "highly stupid and unpatriotic"; ibid., April 14, 1874.

64 The exception was J.R. MacLean, who unsuccessfully opposed A.C. MacDonald in September 1873, yet returned to the Assembly in 1874 as a Conservative.

65 Y. supra, p. 215.

66 He was a brother of Fr. James MacDonald, who had succeeded Fr. Angus MacDonald as Rector of S.D.C.

Whereas the Laws of this Province relating to Education are, in many respects, defective, and do not give general satisfaction:

Resolved therefore, That the House do now resolve itself into a Committee-of-the-Whole to take into consideration the expediency of introducing a bill to amend, in some respects, the Law relating to Education, and in particular to provide in certain cases for the employment, as teachers, of such persons as shall produce to the Board of Education satisfactory certificate as to their character and attainments from some college or other institution of learning in Europe or America; and also to render permissive the imparting of religious instruction in schools in which the pupils are all of the same denomination, such religious instruction to be subject to the approval of the parents or guardians of the children.<sup>67</sup>

MacDonald's proposals seemed moderate: the request for freer licensing of teachers was standard,<sup>68</sup> and the giving of grants to schools offering sectarian instruction would be subject to two restrictions: (a) that all the children involved be of the same denomination, and (b) that the parents retain the option of not having their children attend during the classes devoted to religion.<sup>69</sup>

67 Assembly Journal, 1874, p. 107.

68 As MacDonald's motion was worded, it was especially relevant to St. Patrick's School in Charlottetown, which had been operated by the Brothers of the Christian Schools since 1870; the teachers were forbidden by their Superior in Montreal to be examined outside their own classrooms. See letter of the Rev. Isaac Murray, undated, in Patriot, February 7, 1874 (Murray was one of the Board of Education's two 'examiners' of teaching candidates); Islander, August 29, 1873; Sullivan in Assembly Debates, 1874, p. 533; Conroy in ibid., 1875, pp. 189 and 322; and R.B. Reid in Legislative Council Debates, 1875, p. 127.

69 The restriction which was conspicuous by its absence was a limitation on the hours in which religious instruction might be imparted. In one-room schools, and in a climate which was frequently inclement, such a provision was necessary if the parents' option was to be meaningful.

To the Protestant Members, both Liberal and Conservative, it was not so simple. In the light of Bishop MacIntyre's recent pastoral, they could only interpret MacDonald's resolution as the 'thin end of the wedge,' and it was this conviction which caused the House to be "literally packed" during the debates on MacDonald's motion: "Every seat was occupied; every foot of standing-room was taken up."<sup>70</sup> The Patriot reported that "Everyone seemed to realize that an important crisis had arrived, and that it behooved them to meet it seriously. The time had now come for the representatives of the people to speak plainly, and to act straightforwardly, on the School Question."<sup>71</sup> The spectators were not disappointed. Francis Kelly began by complaining that the resolution did not go far enough,<sup>72</sup> Conroy stated that "Education and religion should go hand in hand,"<sup>73</sup> and Emmanuel MacEachen declared the status quo "simply disgraceful."<sup>74</sup> William D. Stewart replied that "In a mixed community, the imparting of religious instruction in schools was impracticable."<sup>75</sup>

<sup>70</sup> Examiner, April 27, 1874.

<sup>71</sup> Patriot, April 25, 1874. The discussion in the upper chamber was also animated; see especially R.B. Reid and Patrick Walker in Legislative Council Debates, 1874, pp. 233-236, 248.

<sup>72</sup> Assembly Debates, 1874, p. 443.

<sup>73</sup> Ibid., p. 446.

<sup>74</sup> Ibid., p. 449.

<sup>75</sup> Ibid., p. 450. Stewart later said that he had once been willing to give the Roman Catholic schools a grant from the Treasury, but that now he could only regard it as "the first block out of the wall of our free school system"; ibid., p. 488.

The lines — except concerning the Conservative Protestants — were clearly drawn: the Liberals were pitted against the Conservative Roman Catholics and the two Centrists. Sullivan was the outstanding Catholic in the debate, but even he admitted that he "did not know that anything which could be said would induce honorable members to change their minds, which were probably pretty well made up on both sides of the House."<sup>76</sup> Nonetheless, he went on to quote the Earl of Shaftesbury, the Anglican Bishop of London, and the Rev. G.M. Grant of Halifax in support of his position,<sup>77</sup> and attempted to establish a necessary connection between secular education, crime, and 'infidelity.'<sup>78</sup> His main contention was that "No grant was asked on account of the religious instruction — only for the secular education."<sup>79</sup> William Stewart answered this argument by citing Bishop MacIntyre: if education were a spiritual matter (as the Bishop claimed), how could the State distinguish between its secular and religious aspects?<sup>80</sup> —And if education were a spiritual function, by what right did the Bishop demand public funds for spiritual purposes?<sup>81</sup>

<sup>76</sup> Ibid., p. 457.

<sup>77</sup> Ibid., pp. 457-458.

<sup>78</sup> Ibid., pp. 460, 530-531.

<sup>79</sup> Ibid., p. 457.

<sup>80</sup> Ibid., p. 487; also v. supra, p. 236.

<sup>81</sup> Assembly Debates, 1874, pp. 483, 487.

The Conservative Protestants did not know which way to turn. Brecken believed the resolution itself to be "fair and equitable" and "an act of justice to the Bishop."<sup>82</sup> Yet he was pledged to his constituents not to support such a measure, and, in the light of the New Brunswick School Question and MacIntyre's pastoral, he feared that giving an inch on the principle of state-controlled education might only lead to another demand, once the first was satisfied.<sup>83</sup> Dr. Jenkins agreed: had it not been for the pastoral of 22 December 1873 he would have supported grants for the Bishop's schools — but MacIntyre "had taken higher ground, and it had excited alarm in the community."<sup>84</sup> MacEachen, the old Tory Catholic, also criticized MacIntyre: "If it had not been for the action of the Bishop in the last Dominion elections, he [MacEachen] believed that something might have been done."<sup>85</sup> This excited Conroy to call MacEachen "the apologist of his Protestant friends," and to declare that "Catholic members should not associate with any party who had power to do right, and yet did wrong."<sup>86</sup>

82 Ibid., pp. 462, 464.

83 Ibid., p. 463; v. infra, pp. 265-266.

84 Assembly Debates, 1874, p. 467.

85 Ibid., p. 468.

86 Ibid., p. 469.



The Protestant Liberals were united in their opposition to denominational grants: Benjamin Davies, William Campbell, William S. MacNeill, and Stewart all told how they had stood by the policy of non-denominational education in the 1850's and early 1860's, and said that they did not intend to change their minds now.<sup>87</sup> Campbell flatly declared the resolution to be "the entering of the wedge."<sup>88</sup> To their surprise, Haviland joined them on the issue: he believed the denominational system to be "impossible" in the district schools, and he was now of the opinion that the Catholics would accept nothing less.<sup>89</sup> On the positive side, Louis Davies stated the premise of the secularists' argument: that "Protestants and Roman Catholics could mix together, and grow up in friendship together, being the better for it as boys, and ten times better as men."<sup>90</sup>

When the vote was taken, at two a.m. in the morning of Saturday<sup>91</sup> 25 April, the division was entirely on denominational lines: Premier Owen, Haviland, Brecken, and the other Conservative Protestants joined with the Liberal Opposition to defeat Sullivan, MacDonald, and the rest of the Catholic Members by a vote of seventeen to nine.<sup>92</sup> The Government

<sup>87</sup> *Ibid.*, pp. 302, 296, 298, and 489. Stewart said that his stand on the Bible Question had made him "almost an outcast among his friends"; *ibid.*, p. 489.

<sup>88</sup> *Ibid.*, p. 490.

<sup>89</sup> *Ibid.*, pp. 491-492.

<sup>90</sup> *Ibid.*, p. 521.

<sup>91</sup> *Examiner*, April 27, 1874.

<sup>92</sup> *Ibid.*, J.H. Fletcher reported the vote as 17-8, but it matters little who was correct, for the point at issue was whether Conroy abstained, or supported the MacDonald resolution (see *Argus*, April 28, 1874). The *Assembly Minutes* simply state that the motion lost "upon a purely denominational vote" (p. 53).

had split, as Owen completely lost control of his Roman Catholic supporters. The administration's impotence concerning the School Question was manifest: the Premier did not even declare where he stood, let alone enunciate a coherent Government policy; the Attorney General supported the resolution in principle, but was too fearful of its consequences to vote for it; the Solicitor General, with the backing of the majority of the caucus, vigorously supported it; and the Colonial Secretary was opposed. The only wedge that had been driven was the one which had entered the Government ranks.

By the end of the Session of 1874,<sup>93</sup> Louis Davies alone could claim to control a cohesive and well-defined group of Assemblymen. Bishop MacIntyre, the number-one backer of the Government, had decided to go his own way, with the result that the Conservative Catholics had split into two hostile camps: Ministerialists and Centrists. The Conservative Protestants were not yet in such straits, but with the increasingly-vehement debates on the School Question in the House, it was only a matter of time before they would have to stand on one side or the other — and without a leader capable of enforcing party solidarity, it was by no means certain that they would act together when the time came. One short year after the formation of the third J.C. Pope Government, the coalition upon which it was based was falling apart.

93 The House closed on 28 April.

## Chapter Ten

The Session of 1874 provided the first full Legislative debate on the School Question in six years. In preparation for the next session, Bishop MacIntyre raised a 'monster petition'<sup>1</sup> bearing almost 9,000 names. It stated that

your petitioners are of the opinion that the Catholics of Charlottetown are unjustly taxed, in a special manner, to support public schools to which they do not send their children, in consequence of their having schools of their own better adapted, in their opinion, for the purpose of education, to which they send them.

Wherefore, in view of the foregoing, your petitioners humbly pray Your Honorable House, so as to amend the present School Act as to enable them by Law, while adhering to the teaching of their Church, to participate in the benefits to be derived from the expenditure of the taxes for educational purposes, to which they contribute, but a fair share of which, while the law remains as it is now, they cannot receive.<sup>2</sup>

Nicholas Conroy presented the petition to the House on 7 April, and on the same day Dr. John Jenkins presented another petition, from 800 Roman Catholics of Charlottetown, for the same object, concerning the Catholic schools then or subsequently established in the capital; they requested a per capita allowance for the students therein instructed, and asked

1 In 1874, both Benjamin and Louis Davies had chided the Roman Catholic Members for raising the School Question when there was no concrete evidence, such as petitions, that they had the support of their constituents in so doing; see Assembly Debates, 1874, pp. 302 and 522. See also MacEachen in ibid., 1875, p. 208.

2 As read by R.B. Reid in Legislative Council Debates, 1875, pp. 105-106 (page 170 of the Assembly Journal simply paraphrases the petition). Francis Kelly estimated that there were 800 children enrolled in Roman Catholic schools throughout the Island; see Assembly Debates, 1875, p. 190.

that the teachers in these schools be licensed upon presentation of a certificate from their Superiors.<sup>3</sup> One day later, three counter-petitions were presented, signed by some forty members of the Protestant clergy. They opposed any public recognition of denominational schools without an appeal to the people, as contrary to the will of a majority of Island electors, injurious to the public interest, and as a violation of pledges given to the electorate in 1873.<sup>4</sup>

On 9 April the House went into Committee-of-the-Whole to consider the five petitions. Conroy presented the following resolution:

Resolved that a Bill be introduced to amend the Acts relating to Education in this Island, so as to provide that persons, presenting to the Board of Education satisfactory certificates from known educational establishments in Europe or America, shall be allowed to teach in schools, in towns and villages in this Island, wherein religious education is imparted, and where the other requirements of the said Education Act are complied with, such persons shall receive an allowance from the moneys appropriated for educational purposes, in proportion to the number of scholars taught in such schools.<sup>5</sup>

This motion was meant to apply particularly to the Brothers of the

3 Assembly Journal, 1875, p. 36. Although as a Member for Charlottetown he presented the petition for the consideration of the House, Jenkins reiterated the opinions he had expressed in 1874 (y. supra, p. 251), and warned the Roman Catholic M.H.A.s that "he would not vote in favor of such a grant to Catholic schools, unless the Legislature had a guarantee from the Catholic Bishop that he would not interfere with the present public school system of this Province"; Assembly Debates, 1875, p. 173.

4 Assembly Journal, 1875, p. 39; Sullivan in Assembly Debates, 1875, p. 301; and y. supra, p. 215. The Protestant petitions may have originated with a committee appointed in February by the Free-Secession Presbytery to "take such...steps as they may deem necessary for the preservation of the School law in its present undenominational character"; see Minutes of the United Presbytery (P.E.I.), February 11, 1875.

5 Assembly Debates, 1875, p. 189.

Christian Schools, who were teaching 224 boys<sup>6</sup> at St. Patrick's School in Charlottetown. Conroy explained that they regarded their licenses from the heads of their religious houses as sufficient: "They will not submit to be again examined. It is contrary to their principles to do so."<sup>7</sup>

Heath Haviland was the first to answer Conroy, and although he believed that the resolution "probably...may result in the defeat of the Government,"<sup>8</sup> he called upon the Members to declare themselves once and for all on the School Question.<sup>9</sup> As for himself, he explicitly repudiated his stand in 1868,<sup>10</sup> and stated that "You must have the secular system or abandon the public schools altogether....I can only add that if there were two systems introduced there would soon be a dissatisfaction, such as there never was before, extending from the East Point to the North Cape."<sup>11</sup> Emmanuel MacEachen protested "Why it is better that Mormonism be taught to children, than no religion

6 See Conroy in ibid., p. 171. He also stated that there were 407 girls enrolled in the Roman Catholic schools in Charlottetown. R.B. Reid estimated that only twenty or thirty Roman Catholic children attended the public schools in Charlottetown; see Legislative Council Debates, 1875, p. 107. Like Conroy, Reid was a Roman Catholic from western Prince County, and advocated Centrism (see ibid., pp. 108, 128).

7 Assembly Debates, 1875, p. 189; also v. supra, p. 248, n. 68. Later in the Session, Louis Davies claimed that the Christian Brothers in Halifax had submitted to examinations by the government authorities; see Assembly Debates, 1875, p. 356.

8 Ibid., p. 193.

9 Ibid., p. 194.

10 V. supra, p. 187, and p. 187, n. 102.

11 Assembly Debates, 1875, p. 195; these were the most easterly and westerly points on the Island.

at all,"<sup>12</sup> and Francis Kelly warned that the School Question "will be brought up every year, until justice is done to the Catholics in this matter."<sup>13</sup> Louis Davies replied that denominational schools would be "a curse in a mixed community like ours."<sup>14</sup>

The debate on Conroy's resolution was adjourned, and it resumed one week later. W.W. Sullivan opened the discussion with a long speech, in which he emphasised the necessity for religious schools in Charlottetown, because "There is, perhaps, no other City in British America where the temptations, to which youth are exposed, are greater than they are here."<sup>15</sup> Conroy added that "Neither peace nor contentment can reign in this Province, as long as this question remains unsettled."<sup>16</sup> Conroy's declaration prompted Frederick Brecken to state that "it is the policy of this Government not to touch the educational question without an appeal to the people at the polls."<sup>17</sup> He then gave his personal views: "I do not believe that denominational schools will ever be introduced into this Island.... [never] if you introduce the denominational system into Charlottetown, ultimately you will have to extend it over the whole Island."<sup>18</sup>

<sup>12</sup> Ibid., p. 196.

<sup>13</sup> Ibid., p. 198.

<sup>14</sup> Ibid., p. 205.

<sup>15</sup> Ibid., p. 303.

<sup>16</sup> Ibid., p. 314.

<sup>17</sup> Ibid., p. 316.

<sup>18</sup> Ibid., p. 318. In the previous session, MacEachen had warned that "God has not one code of morals for the country and another for the city"; ibid., 1874, p. 514.

Thus the Conservatives were divided into at least three groups: those who followed Sullivan, who now supported denominational education unequivocally;<sup>19</sup> those who agreed with Haviland, who had become an adamant secularist; and those like Brecken — and presumably Premier Owen — who saw elements of justice in the Catholic claims, but who were afraid that any concession would simply open the floodgates,<sup>20</sup> and who would commit themselves to nothing until the matter had been brought before the people.<sup>21</sup> To add to the confusion as to what the Conservative Party really wanted to do concerning the School Question, there was one more viewpoint expressed: that of James Pope, who had been acclaimed on 31 March to a seat which Thomas Kelly had resigned. Pope had not re-joined the Executive Council, but, having been Premier three times in the past ten years, he had much influence within the Conservative Party and among the public generally. Now, in 1875, he would stand by his 'Summerside card' of 1868,<sup>22</sup> which he described as "paying for results in the Catholic schools of the towns and villages."<sup>23</sup>

19 Where Sullivan differed with Conroy was in seeing no point to forming a Catholic 'bloc' when Catholics were in the minority; Conroy could see no point in Catholic support for "any party who had power to do right, and yet did wrong"; *ibid.*, p. 469.

20 *Y. supra*, p. 251.

21 On 9 April Brecken had said that an election should be held on the subject; see *Assembly Debates*, 1875, p. 207. Some Catholic Members disagreed, and believed that the School Question should be 'settled' in the House, and the settlement presented to the people as a *fait accompli*; see e.g. J.O. Arseneault in *ibid.*, p. 344.

22 *Y. supra*, pp. 186-187.

23 *Assembly Debates*, 1875, p. 353.

Conrey's resolution was of course defeated, and the debate settled nothing — it simply demonstrated the capacity of the Conservatives for riding off in all directions at once. Yet the inertia of the Owen Government concerning educational matters was not limited to the denominational aspect: very real problems existed in the Island's school system, and the Government's impotence in dealing with them was nowhere better illustrated than in the case of the Charlottetown Schools. On 27 May 1875 the Board of Education appointed two of its members, Judge Joseph Hensley and the Rev. Donald MacNeill,<sup>24</sup> a committee to visit and report upon the City Schools.<sup>25</sup> Hensley and MacNeill reported four weeks later, and they recommended that three of the ten schools be closed at once. The main problem was a lack of suitable physical facilities,<sup>26</sup> which in turn undermined everything the teacher was trying to do in the classroom. Although the committee also recommended that two of the other seven schools be closed after three months if they were not improved, the Government did nothing.

24 A Free Church clergyman (he became affiliated with the United Presbytery in 1860), he had replaced John MacNeill as Secretary in 1872.

25 At this time, each of the City Schools had its own Board of Trustees, but none had any real power, with the result that the Board of Education was generally regarded as the body responsible for the development of the City Schools; also *y. supra*, p. 4, n. 7.

26 For a copy of their report, see 'Report of the Parliamentary Committee on Education,' (1876), pp. 24-25 (hereafter this source shall simply be cited as 'Report'). The ten 'schools' were located in eight different buildings. When Professor Leander G. MacNeill resigned his position at P.W.C. in 1870, he publicly deplored the state of the City Schools; see letter of L.G. MacNeill in Islander, September 9, 1870.



The Hensley-MacNeill report revealed little that was not generally known: as early as 1870 a four-man committee<sup>27</sup> of the Board of Education had made recommendations for the improvement of the City Schools. As they had found that "none of the rooms in which these schools are held, are by any means suitable,"<sup>28</sup> they had suggested that money be procured from the Government for the erection of four new buildings.<sup>29</sup> The Board of Education had adopted the report, and forwarded it to the Haythorne Government,<sup>30</sup> who did not even trouble to reply.<sup>31</sup> In 1874 the Board had applied for permission to amalgamate three of the City Schools,<sup>32</sup> but the Owen Government had found the granting of even this modest request to be "inexpedient."<sup>33</sup>

Public opinion was unanimous in its condemnation of the state of the Charlottetown Schools. The Patriot, a consistent defender of the Education Act, said that "It is admitted on all hands that the Free School system, as far as Charlottetown is concerned, is a failure....

27 It was composed of the Rev. Isaac Murray, and Messrs. Edward Roche, Charles Palmer, and George Beer, M.L.C.

28 See their report in 'Report,' p. 23. It was dated 1 March 1870.

29 Ibid., p. 24.

30 Minutes of the Executive Council, April 25, 1870.

31 'Report', p. 3. The Rev. Isaac Murray testified that "the whole difficulty was owing to denominational feeling"; ibid., p. 17.

32 See ibid., p. 3. The request had been made in January of 1874.

33 See letter of W.C. DesBrisay (Assistant Clerk of the Executive Council) to D. MacNeill, dated April 7, 1874, in ibid., p. 24. There appears also to have been a submission dated 28 February 1871 from the Board of Education on the same subject; to the best of this writer's knowledge, no copy survives. See Report of School Visiter William MacPhail in Assembly Journal, 1872, Second Session, Appendix H, p. 12.

This has been the chief cause of all our educational troubles on the Island....The city schools are, without doubt, a reproach to the system."<sup>34</sup> J.H. Fletcher of the Argus, who also supported the non-denominational principle in public education, wrote that "Our Government schools in the city have literally gone to the dogs....Something...must be done for them, or people will not continue to support the Free Educational system in the country."<sup>35</sup> In addition, William MacPhail, the energetic School Visitor for Queens County,<sup>36</sup> had consistently criticized the condition of these schools. Year after year, he pointed out their deficiencies, and his comments were reprinted in the public press. For instance, in 1872, he reported that "there is not one Government school-room in the city fit, in all respects, for the purposes of teaching, with the exception, perhaps, of the Normal and Model Schoolrooms, and even these are now found to be too contracted for the numbers in attendance."<sup>37</sup> In addition, he said that "I am certain, from my own observation and enquiries throughout the City, that there are scores of young children who never enter a schoolroom at all, and are growing up in ignorance."<sup>38</sup>

<sup>34</sup> Patriot, June 18, 1874.

<sup>35</sup> Argus, January 12, 1875. For the reverse of this attitude toward the question of the City Schools, see infra p. 264-265.

<sup>36</sup> MacPhail had been appointed in 1868, and had served continuously, with the exception of a seven-month period in 1872-73. His reports were a model in their thoroughness. Like Stark, his frankness elicited letters to the press from angry teachers. He was the father of Sir Andrew MacPhail, who became a Professor of Medicine at McGill University, and a Canadian literary figure of some importance. In 1939, a charming book of the son's reminiscences concerning Island rural life in the 1870's and 1880's was published posthumously. It was entitled The Master's Wife; 'the Master' was William MacPhail.

<sup>37</sup> Assembly Journal, 1872, Second Session, Appendix H, p. 11. As early as 1855, Stark had rated most of the City Schools individually as 'low' or 'below average'; see ibid., 1855, Appendix H, p. 92.

<sup>38</sup> Ibid., 1872, Second Session, Appendix H, p. 12.

'Secularists' and 'denominationalists'<sup>39</sup> drew different conclusions from the plight of the City Schools. To the latter it was proof of the inherent debility of non-religious education, especially in an urban environment, and to the former it was simply evidence of the need for a thorough reformation of the existing machinery. The majority of the secularists blamed the Board of Education,<sup>40</sup> and the members of the latter body passed the responsibility on to the citizens of Charlottetown, whom they accused of apathy.<sup>41</sup>

If the Charlottetown Schools constituted a 'black eye' on the face of secular education, Prince of Wales College was another, at least in the minds of much of the public. There could be little disagreement about the quality of the instruction imparted at the institution, for its graduates enjoyed phenomenal success at McGill, Queen's, Dalhousie, Edinburgh, Princeton, or wherever they went.<sup>42</sup> This was largely due to the efforts of the Principal, Alexander Anderson,<sup>43</sup> of whom Sir Andrew MacPhail has left the following description:

39 As these terms were used in the mid-1870's in P.E.I., the latter meant anyone who was in favor of public grants to any denominational school, and the former included anyone who was opposed. In point of fact, about forty percent of the schools in Protestant districts in Queens County were at this time secular in practice, for not all parents took advantage of the 'Bible clause' of 1860 (y. sure, p. 67), to introduce the Scriptures into the classroom. See Examiner, March 9, 1874; this information is derived from a summary of MacPhail's Report for 1874, which was not published in the Assembly Journal of that year.

40 Some, however, found fault with the Board "in a strictly impersonal sense," as they believed the problems to have arisen from the Board's constitutional deficiencies, rather than any personal inadequacies on the part of its members. See Patriot, June 18, 1874.

41 See e.g. Francis Kelly (a Board member) in Assembly Debates, 1875, p. 117.

42 This is readily ascertainable by an examination of the Island Journals of the period, for each year there was an impressive list of prizes won by young Islanders abroad. The College provided grammar-school training, and the first year of university studies.

43 Y. sure, p. 145, n. 100, and p. 190, n. 114.

Of the many teachers I have since known he was the best. His authority was absolute; therefore he was never known to exercise it....He treated crude boys as if they were grave young gentlemen determined to become scholars and win by their scholarship any highest place in the world. ....He had for his support the whole official community. Members of the government, of the judiciary, and of the professions had all passed through his school, and they retained for him a respect and fear not unmixed with affection. In addition the best schools were taught by his pupils, and they helped to propagate the legend of his power....This teacher had the curious idea that boys came to school to learn; not to waste their time, or their parents' money. If they required work or exercise, the farm was the better place.<sup>44</sup>

The problem with Prince of Wales was political and religious: at least half of the scholars in attendance were from Charlottetown,<sup>45</sup> which caused resentment in the rural districts,<sup>46</sup> and much of the Roman Catholic population regarded the College as a 'Protestant institution.' The latter belief was of course unfounded,<sup>47</sup> but it was nonetheless held, and it mingled with resentment at the repeated

<sup>44</sup> Andrew MacPhail, The Master's Wife (Montreal: 1939), pp. 177-179. In 1888 McGill University conferred the degree of Doctor of Laws upon Professor Anderson.

<sup>45</sup> The total number of students usually varied between forty and sixty in these years. To the best of this writer's knowledge, no list of the religious affiliations of the students has survived. However it is safe to assume that at this time the majority of Catholic young men who desired higher studies attended S.D.C. rather than P.W.C.

<sup>46</sup> In 1864, A.A. MacDonald had declared that "Each scholar at the Prince of Wales College costs the country nearly as much as a district school in the country"; Legislative Council Debates, 1864, p. 62.

<sup>47</sup> V. supra, pp. 73-74; p. 73, n. 5 and p. 74, n. 8. Sullivan confirmed that many Roman Catholics had believed that religious instruction was given at P.W.C.; see Assembly Debates, 1874, p. 532.

failure of St. Dunstan's to obtain an endowment, to create hostility among Catholics towards the public college.<sup>48</sup>

The school system was in 'general need of repair: attendance was falling,<sup>49</sup> and there seemed to be massive public apathy. Various solutions were suggested, of which the most commonly agreed-upon were higher salaries for district teachers, compulsory attendance,<sup>50</sup> and the appointment of an all-powerful executive officer to oversee the entire system.<sup>51</sup> But any programmes for the improvement of the public schools in general, and the City Schools in particular, were faced with a religious-based political problem: the Catholic members of a 'mixed' government or Board of Education<sup>52</sup> had no desire to make the government

48 E.g., Y. SUERA, p. 195, n.131. There was also a current of thought among some Protestants to the effect that P.W.C. should be disendowed, if this would satisfy the Roman Catholics. See e.g. Thomas W. Dodd in Legislative Council Debates, 1874, p. 240; and Joseph Wightman in ibid., 1875, p. 110. But in Dodd's case, at least, the extreme views expressed in the Bishop's pastoral of 1873 had convinced him that no purpose would be served by setting P.W.C. adrift; see ibid., 1874, p. 241. Of course the College also had its defenders: see L.H. Davies and Haviland in Assembly Debates, 1874, pp. 471, 520, and 493. The term 'endowment' with regard to P.W.C. refers simply to its annual government grant; there was no revenue-producing land attached to the College.

49 See Examiner, March 9, 1874 (summary of MacPhail's Report); also MacPhail's testimony in 'Report,' p. 12.

50 Compulsion had first been suggested by Kings County School Visitor John Ross two decades earlier; see Assembly Journal, 1853, Appendix Z, p. 181. By 1863 John Arbuckle Sr. had come to the same conclusion; see Legislative Council Journal, 1863, Appendix No. 4, p. 7. Gradually segments of the press had taken up the measure: see Summerside Journal and Western Pioneer, June 17, 1869; and Argus, November 29, 1870.

51 See e.g. Examiner, September 25, 1871; and Argus, February 2, 1875.

52 The Board's recommendations concerning the City Schools in 1870, 1874, and 1875 had each been rejected by a 'composite government.'

system more attractive, for their argument in favour of denominational grants — if they wished to convince many Protestants — was largely based upon the claim that religious schools were by nature more satisfactory than secular ones. It was in Charlottetown that the contrast was greatest between the run-down public schools and the spacious and well-ventilated classrooms in which the Christian Brothers imparted sectarian instruction. Thus, from the Catholic point of view, there was nothing to be gained by putting the City Schools back on their feet.<sup>53</sup>

The intensity of the Island's debates on the future of its educational system was heightened by events entirely outside its borders. Since 1871 there had been a continuing and dramatic confrontation between Protestants and Roman Catholics in the neighbouring province of New Brunswick. Section 110 of the Common Schools Act (1871) clearly stated that "all schools conducted under this act shall be non-sectarian." The Catholics believed this provision to be unconstitutional,<sup>54</sup> and in

<sup>53</sup> It should be recalled that the Roman Catholics in the mid-1870's were demanding denominational grants in the 'towns and villages' of P.E.I., and hence the state of the schools in the capital had a particular importance in their minds. In 1874 the Examiner had counted six Charlottetown schools which were maintained by religious denominations. There were two Roman Catholic convents for girls (as well as St. Patrick's), two small Anglican schools, and a larger 'Wesleyan Academy'; see Examiner, February 2, 1874. However, none of these Protestant schools had asked for public aid, and the Wesleyan Academy (established in 1868) had declared its intention to refuse it, if offered; see John Balderston in Legislative Council Debates, 1873, p. 82. In 1872 MacPhail had reported 853 children in the private schools, and 672 in the public schools of Charlottetown; see Assembly Journal, 1872, Second Session, Appendix H, pp. 10-11.

<sup>54</sup> Y. G. G. G., p. 213 ; p. 214 , n. 42 ; and p. 236. For detailed accounts, see H. G. Thorburn, The Government of New Brunswick (Toronto: 1961), pp. 32-33; and K. F. C. MacNaughton, The Development of the Theory and Practice of Education in New Brunswick, 1784-1900 (Fredericton: 1947), pp. 200-222.

many cases refused to pay their school taxes. The Government responded by taking legal action against the delinquents, and did not retreat an inch until 1875, when violence erupted at Caraquet, in Gloucester County. It would be difficult to over-estimate the psychological effects which the New Brunswick School Question had on the disputants in Prince Edward Island: to Catholics, it was clear proof that 'Protestant bigotry' would override even the constitution in the effort to deny them 'common justice'; to Protestants, it was an equally clear indication that Roman Catholics, in their search for 'sectarian privilege,' would resist the known will of the majority, even to the point of violence. To each side in the Island Province, the struggle seemed that much more significant when the situation on 'the mainland' was considered.

If the crisis in New Brunswick gave the Islanders a sense of being involved in something which transcended the boundaries of their province, the School Question in the North West Territories convinced them that their problem was one of Dominion-wide moment. Arrangements were now being made for the education of the inhabitants of the Territories, which had been purchased by the Canadian Government in 1869. As they were not self-governing, the regulations for their administration were issued directly from Ottawa. In 1875, the North West Territories Act was passed, and its Section eleven<sup>55</sup> established the 'Ontario system' which provided for separate schools at the primary level.

55 See Dominion Statutes, 38 Vic., c. 49, s. 11, "An Act to Consolidate and Amend the Laws respecting the North West territories."

The reaction among Prince Edward Island Protestants was immediate and hostile, the more so since their own David Laird was Mackenzie's Minister of the Interior. Coming at a crucial time in the Island's School Question, Section eleven was a distinct moral blow to the Protestant side, for now the Roman Catholics could ask why their opponents would not show the magnanimity of such staunch Protestants as Laird and Mackenzie. The result was that in late 1875 the Evangelical Alliance of the Island<sup>56</sup> published a Manifesto which was sharply critical of the action of the Mackenzie Government.<sup>57</sup> In early January of 1876, the Island Protestants became the first in Canada to petition the Dominion Government in protest of Section eleven.<sup>58</sup> They were now sure that they

<sup>56</sup> This was a branch of the World's Evangelical Alliance, which had been launched in Britain in the 1840's. The Canadian Evangelical Alliance was founded in Montreal in 1845. The Island branch appears to have been established in 1872 or 1873. See C.E. Silex and G.M. Fisher, Catholics, Jews, and Protestants: A Study of Relationships in the United States and Canada (New York: 1934), pp. 88; and H.H. Walsh, The Christian Church in Canada (Toronto: 1956), p. 222.

<sup>57</sup> See Argus, December 28, 1875. The Manifesto was signed by the Revs. Messrs. David Fitzgerald, Thomas Duncan, D.D. Currie, John Knox, W.S. Pascoe, and W.B. Haynes; these clergymen represented every Protestant denomination except the Methodists (only the latter had remained aloof from the Presbyterian Union of 15 June 1875). They also criticized the Liberal Government for the resolutions which it had sponsored over the years in its attempt to have the New Brunswick Government modify its attitude towards enforcement of the C.S.A. Mackenzie had also consistently advised Louis Davies to compromise on the P.E.I. School Question, but of course the latter allowed no disposition to do so; see Mackenzie to L.H. Davies, February 19, 1875 (private), Mackenzie Letterbooks, vol. 4, pp. 192-198. Mackenzie said in this letter that "I have constant appeals from Bishop MacIntyre."

<sup>58</sup> See Secretary of State Correspondence, R.G. 6, A-1, file no. 309 (dated 4 March 1876). The original petition, with all the names appended to it, survives at PAC. Laird consented to present the petition to the House of Commons, but refused to plead the case of the petitioners. See Laird to the Rev. Thomas Duncan, February 22, 1876 (confidential), David Laird Letterbook, pp. 273-276; also Laird to Duncan, March 8, 1876 (confidential), ibid., pp. 310-312.



were on the defensive, and they were deeply disturbed by the ambiguous position of Laird and the Patriot.<sup>59</sup> To Catholics, Section eleven meant the opposite — it was a sign of encouragement which they had long awaited. Hence in the eyes of both parties the School Question in the North West Territories seemed as relevant, if not as dramatic, as that in New Brunswick.

In the meantime, through the good offices of Francis Kelly, the Trustees of St. Patrick's School had applied on 13 September 1875 to have two of their teachers licensed under the Education Act.<sup>60</sup> The Board of Education examined the Brothers in October, and finding them competent, granted them licenses. It is unknown whether Owen and his colleagues had any intention of enforcing the standard rules and regulations in St. Patrick's School, but in any case they did not do so: the

<sup>59</sup> Laird kept his public comments on Section eleven to a minimum; the Patriot defended it. Louis Davies consistently refused to be drawn into endorsing it, although often challenged by members and supporters of the Provincial Government to do so. Davies seemed anxious to avoid all discussion of Section eleven, and this was natural enough.

<sup>60</sup> See report of an address by Kelly at Saw Mill Bridge on 31 July 1876, in Examiner, August 7, 1876 (Kelly was a member of the Board of Education); also testimony of D. MacNeill in 'Report', p. 6. Apparently the Christian Brothers' Superior had granted them permission to be examined by the Board outside their classrooms. In all, there were three or four teachers at St. Patrick's.

Christian Brothers apparently conducted their classes as they always had.<sup>61</sup> Such ineptness on the part of the Government is difficult to explain, for in late 1875, as has already been related, the School Question in Prince Edward Island was coming to a head: the final session of the twenty-sixth General Assembly was fast approaching, and 'secularists' and 'denominationalists' were thoroughly aroused over local issues which covered the Province's educational system in its entirety; in addition, the School Questions in New Brunswick and the North West Territories seemed very intimate to the Islanders, and the former in particular was held — by both sides — to illustrate the necessity of a firm, if not inflexible, attitude.

The Session of 1876 began on 16 March, and almost immediately Davies moved to the offensive. Within a week he asked for the tabling of the names of all teachers licensed by the Board in the past year.<sup>62</sup> He had

61 *Ibid.*, p. 5 (the Committee Report proper); also testimony of Dr. MacNeill in *ibid.*, pp. 6-7. The Secretary testified that he had sent a copy of the rules to the teachers at St. Patrick's School, but that he believed "the character of the school was unaltered." William MacPhail testified that he also had given the teachers a copy of the regulations, and that "My impression was that the reading class books were sectarian"; see his testimony in *ibid.*, p. 14. Regulation number two prohibited the use of any book not sanctioned by the Board; see 'Revised and Amended Regulations to be observed in the District and other Public Schools of Prince Edward Island - 1867', in *ibid.*, p. 27. Hensley (the Chairman of the Board) and Murray (an examiner) confirmed that the Christian Brothers were subject to the same regulations as other teachers once they were licensed, and that the Board had not intended to give them any special status; see *ibid.*, pp. 23 and 17. The regulations had not been altered since 1867.

62 *Assembly Journal*, 1876, p. 14.

two objects in mind: "to ascertain whether or not the Government has a policy on the question of Education," and to determine "whether the Government have embraced the principle of sectarian instruction."

He said he had heard rumours that certificates had been issued to teachers in sectarian schools.<sup>63</sup> Without comment, Owen produced the

papers Davies had requested, together with the salary certificates of the City teachers.<sup>64</sup> After studying these documents, Davies on 4 April

put a notice on the Order Book to the effect that he planned to move the formation of a five-man committee on the state of the Free Education Act in Charlottetown.<sup>65</sup> This was not a new proposal, as the Argus and

the Examiner had been suggesting such an investigation for over a year.<sup>66</sup> The purpose of the committee would be to inform and educate the public concerning the true state of the school system, as it was by this time generally agreed that the School Question should be decided at the coming election. If the electorate was to be asked to give a mandate to the secularists or the denominationalists, it should be properly-informed, and this would be the function of the committee.

63 Assembly Debates, 1876, p. 43.

64 Assembly Journal, 1876, p. 14; and ibid., p. 17. The first payment to the Christian Brothers had been made in January 1876; see testimony of D. MacNeill in 'Report' pp. 6-7.

65 Patriot, April 7, 1876.

66 See Argus, January 12 and April 13, 1875; and Examiner, April 12, 1875. Fletcher had even stated that "we shall not continue to support the Government unless they enquire into the workings of public institutions"; Argus, April 6, 1875.

Because of various delays,<sup>67</sup> Davies did not bring the matter to the floor until 21 April. His motion was worded as follows: "Resolved, that five Members be appointed to investigate and report upon the manner in which the Education Law has been, and is now carried out, in Charlottetown; with power to send for persons, papers and records."<sup>68</sup> In speaking on his resolution, he claimed that "by and with the knowledge and consent of the Board of Education...religious education is being imparted in the Christian Brothers' School, at the public expense."<sup>69</sup> This was contrary to the intent of the Education Act, which was "to permit neither Church nor denomination to have any power or influence over any public school."<sup>70</sup> According to Sullivan, "If those Christian Brothers were now teaching contrary to the law, it was unknown to the Government."<sup>71</sup> The Solicitor General's statement did not silence the Leader of the Opposition, who went on to criticize "this contemptible Board of Education," and said that "I would consider myself a traitor to the country, did I not protest against an act, contrary alike to the

67 See L.H. Davies in Assembly Debates, 1876, p. 181. He did not specify the delays, and was not challenged to do so. Perhaps the fact that the Reports of the School Visitors were not presented until 20 April was important, as he probably wished to be armed with the latest information on the school system; see Assembly Journal, 1876, p. 57.

68 Ibid., p. 84.

69 Assembly Debates, 1876, p. 184.

70 Ibid., p. 183.

71 Ibid., p. 123; also ibid., p. 184.

will of its people and the letter of the law." He wanted the School Question "settled once for all."<sup>72</sup>

Davies also revealed one of the incidents which had fortified his determination to pursue the School Question to the end: on 3 April, the day before he had placed his notice on the Order Book, the Committee of the Wesleyan Academy<sup>73</sup> had met with the Board of Education to learn what conditions, if any, were attached to the public recognition of St. Patrick's School. This was what Davies and William Stewart had always predicted: to give money to one sectarian institution would be the equivalent of opening the floodgates. Furthermore, the Committee does not appear to have been overly satisfied with the answers which it received; Davies wanted to know what the Board had to hide.<sup>74</sup>

The first member of the Government to reply was Heath Haviland, and he agreed with Davies — if the Board of Education was tolerating anything but secular instruction in publicly-supported schools, it was breaking the law and breaking faith.<sup>75</sup> Sullivan again asserted that the Government was ignorant of the existence of any sectarian teaching in schools receiving

<sup>72</sup> Ibid., p. 185.

<sup>73</sup> V. supra, p. 265, n. 53.

<sup>74</sup> Assembly Debates, 1876, p. 185. For more details concerning the meeting, at which the Rev. D.D. Currie was the chief Wesleyan spokesman, see testimony of D. MacNeill in 'Report,' p. 6; letter of D. MacNeill in Examiner, May 29, 1876; Sullivan in Assembly Debates, 1876, p. 188; Arsenault in ibid., p. 189; Brecken in ibid.; and Presbyterian, April 20, 1876. The financial position of the Academy appears to have deteriorated in the mid-1870's.

<sup>75</sup> Assembly Debates, 1876, pp. 185-186.

public money — but he also claimed that such instruction would not be contrary to the law, as it was not expressly forbidden.<sup>76</sup> After hearing Davies and Haviland attack the Board of Education, Joseph Arsenault, a member of that body, declared that whatever blame was involved should accrue to the parents and local Trustees, for "The Board of Education had never, at any time, authorized the imparting of religious instruction in any of the public schools."<sup>77</sup>

Brecken then said that he had known for some time that sectarian books were being used in several districts where the children were all of the same denomination.<sup>78</sup> Hence the scope of the investigation should be enlarged to encompass the entire Province.<sup>79</sup> James Pope agreed: the committee, if it was to be of any use, should consider the workings of the Free Education Act throughout the Island.<sup>80</sup> Pope referred to William MacPhail's latest Report — which showed that, in Queens County, thirty-eight of forty-seven Roman Catholic teachers, and eighteen of ninety-six Protestant ones were teaching the Catechism<sup>81</sup> — and he asked the Opposition

<sup>76</sup> Ibid., p. 187.

<sup>77</sup> Ibid., p. 189. Arsenault nonetheless agreed with Sullivan that such teaching would not violate the law; but unlike Sullivan, he was careful not to deny knowledge of it. Later in the Session he said he believed that religion was taught in "nearly half" of the schools; ibid., p. 221.

<sup>78</sup> He and Arsenault had made the same affirmation in the House a year earlier; see ibid., 1875, pp. 317 and 191.

<sup>79</sup> Ibid., 1876, p. 190.

<sup>80</sup> Ibid., p. 197.

<sup>81</sup> Part of the Report (including these statistics), which was not published in the Assembly Journal of 1876, was read in the House by L.H. Davies; see ibid., p. 184.

Leader why he was singling out the Christian Brothers.<sup>82</sup> Davies replied that when he put his notice on the Order Book he had been unaware of the contents of MacPhail's Report.<sup>83</sup> Pope then said that as soon as Davies had read the Report he should have extended the scope of his proposed investigation.<sup>84</sup> As Henry Callbeck pointed out later in the debate, Pope was being rather disingenuous in pursuing this point, for a rule of the Assembly stated that "when a notice of this kind was placed on the Order Book, the resolution submitted in accordance therewith should not extend beyond it."<sup>85</sup> In any case, Pope went on to expound his 'Summerside card' of 1868, which he said was as valid in 1876 as it had been eight years earlier.<sup>86</sup> In essence, he repeated what he had said two weeks earlier in the House: "Denominational Schools were never approved of: that card simply went in favor of paying for results."<sup>87</sup> The plan was open to all on equal terms, and it was Pope's opinion that the Wesleyan Academy should also get public support.<sup>88</sup>

82 Ibid., p. 198.

83 Davies gave his notice on 4 April and the School Visitors' Reports were tabled on 20 April.

84 Assembly Debates, 1876, p. 198.

85 See Callbeck in ibid., p. 206.

86 Ibid., pp. 198-199. Earlier in the Session, Pope had said that "He had never repudiated his Summerside card, and never would do so"; ibid., p. 119.

87 Ibid. But, as L.H. Davies remarked, "every denomination might erect schoolhouses and receive money from the Public Treasury for their support"; ibid., p. 210.

88 Ibid., p. 200.

Callbeck arose and voiced the fears of many members of the Opposition: it was late in the Session, and if the scope of the investigation were extended to cover the entire Province, the committee would be unable to report before the end of the Session — and hence there would be no report in time for the election.<sup>89</sup> He refused to excuse the Government from responsibility for the actions of the Board of Education, for two Executive Councillors (Arsenault and W.G. Strong<sup>90</sup>) were members of that body.<sup>91</sup> Despite Callbeck's objections, Francis Kelly then moved that the word "Charlottetown" be deleted from Davies's resolution, and the words "all the public schools, colleges, and educational establishments in Prince Edward Island" be inserted in its place.<sup>92</sup>

Davies then stated his own position vis-a-vis the proposed amendment: he approved in principle, but he believed that the Government wanted to widen the terms of reference simply to make the task too unwieldy to be accomplished before the Session and the current General Assembly came to a close. This would defeat the whole purpose of the committee, i.e. the education of the electors as to the issues involved, before asking them to decide.<sup>93</sup> The latter consideration was vital, for so far as Davies

<sup>89</sup> Ibid., p. 206. See e.g. Stewart and Benjamin Davies in ibid., pp. 212, 213.

<sup>90</sup> Strong was a Protestant M.L.C. who had first been elected in 1870. Another Conservative M.P.P., Francis Kelly, was also on the Board.

<sup>91</sup> Assembly Debates, 1876, p. 207.

<sup>92</sup> Assembly Journal, 1876, p. 86.

<sup>93</sup> Assembly Debates, 1876, pp. 209-210.



was concerned, there would be "no side issues" in the coming contest.<sup>94</sup> he saw it as a battle between two philosophies of education, one leading to "ignorance and immorality," and the other to "free thought and intelligence."<sup>95</sup> Sectarian education "might make the people obedient to the pastors of the different churches... [but it] would reduce their intelligence to a much lower level than it was at present."<sup>96</sup> Finally he stated that he would willingly consent to the extension of the committee's scope, "provided that the House had a clear understanding that the evidence given before the committee would be such as to enable them to report to the House before it arose."<sup>97</sup> After a minor amendment by Haviland, who agreed with Davies,<sup>98</sup> the resolution was passed in the following form: "Resolved that a Special committee of five members be appointed to investigate and report upon the manner in which the Education Law has been and is now being carried out in all the public Educational Establishments in Prince Edward Island."<sup>99</sup>

94 Ibid., p. 210.

95 Ibid., p. 211. As an example of the fruits of denominational education, he cited the plight of the lower classes in England, where he had received his legal training in the 1860's. Laughlin MacDonald, a new Roman Catholic M.H.A. who had been elected in the place of the deceased Emanuel MacEachen, replied to Davies's remarks by blaming secularism for "unbridled licentiousness," and "rascality and infidelity" in the U.S.A.; see ibid., p. 215.

96 Ibid., p. 211.

97 Ibid., p. 212.

98 See Assembly Journal, 1876, p. 86.

99 Ibid., p. 90.

The Davies-Kelly-Haviland resolution was passed on 24 April, which was a Monday. The members of the Committee were immediately chosen, and they began hearings on Tuesday. Louis Davies was the Committee Chairman, and its other members were Stewart, Jenkins, J.R. MacLean, and Laughlin MacDonald. Of the three Protestant members, the first two were of course secularist partisans, and Jenkins was 'on the fence': he now believed that secularism was the only feasible basis for the school system of the Island, but he saw the necessity of at least attempting to mollify the Roman Catholics, who were almost one half of the population.<sup>100</sup> Yet his comments in other years about the 'thin end of the wedge' showed that he was also aware of the problems involved in trying to meet such a determined man as Bishop MacIntyre half-way.<sup>101</sup> MacLean was a denominationalist partisan, and, like Davies, he wanted the School Question brought "fairly and squarely" before the people at the next election.<sup>102</sup> MacDonald was also a strong denominationalist, and on 22 April had said that "If we cannot have a system of public education which will render permissive the teaching of religion at the will of the parents, let us have no system at all."<sup>103</sup>

The Committee called witnesses throughout the week (with the exception of Good Friday), and after hearing the last one on Saturday, the members wrote their Report in time for the close of the Session later in the same

<sup>100</sup> Assembly Debates, 1876, p. 214.

<sup>101</sup> Y. supra, p. 251 and p. 255, n.3.

<sup>102</sup> Assembly Debates, 1876, p. 221.

<sup>103</sup> Ibid., p. 215.

day. The business of the Committee was conducted in an orderly and intelligent manner, and the result was a thorough documentation of the current ills of Island education. The members interviewed in detail a total of ten persons: six members of the Board of Education, the Head-Master of the Normal School, the Principal of Prince of Wales College, and all three School Visitors.<sup>104</sup> From a reading of the testimony, several impressions emerge: compulsory attendance was necessary if the school system was to function as efficiently as it should;<sup>105</sup> the training, pay, and general treatment of teachers had to be improved;<sup>106</sup> and a new form of administration would have to be instituted, as the Board system had failed.

The general opinion of those consulted was that the Board, for constitutional reasons, was unable to make and enforce any meaningful decision. It could not even agree upon a complete list of books for

104. The Kings County School Visiter, John MacSwain, was also on the Board of Education, which accounts for the apparent discrepancy between the total number of witnesses, and the sum of the particular categories (i.e. S.V.s, members of the Board, etc.). The others on the Board who were interviewed were Judge Hensley, Edward Roche (Assistant Master of the Normal School), and the Revs. Messrs. Donald MacNeill, Alexander MacLean, and Isaac Murray. The following are those who were not called: Joseph Arsenault, Francis Kelly, W.G. Strong, Charles Palmer, and Judge Reidin.

105. The usual way in which Islanders expressed this was "results proportional to the cost."

106. William MacPhail testified that "the status of teachers has not improved ....I am certain that the better class of teachers has left the profession"; see 'Report,' p. 12. In 1874 he had reported that in the previous three years 113 teachers in Queens County alone had left the profession; see Examiner, March 9, 1874. Principal Anderson of P.W.C. said that "The Grammar School teachers I turn out generally leave the Island because they do not get paid. We educate the boys now and lose them"; 'Report,' p. 21.

the use of students.<sup>107</sup> Ever since it had become 'composite' in 1868,<sup>108</sup> there seems to have been no effective direction from the top. Whatever energies the Board had expended had concerned the City Schools, and these efforts were futile.<sup>109</sup> As for the non-sectarianism implicit in the Acts of 1852 and 1868, there was apparently a policy of non-enforcement. What was needed was one powerful administrator, who would be able to execute the will of the people, tempered by his own expertise. As it was, the current Secretary, Donald MacNeill, was not in control of events, had little real power, and does not seem to have been fully aware of what was going on throughout the educational system of the Province. The central problem was a lack of responsibility: the Government blamed the Board for everything that was amiss, and the latter body passed the buck to the parents and local Trustees.<sup>110</sup> This was especially true in the case of Charlottetown, where no one was taking a genuine and effective interest in the schools of the capital. The administrative system established in 1852 had clearly outlived its usefulness.<sup>111</sup>

107 See I. Murray in *ibid.*, p. 16; he ascribed this to "denominational differences." Hensley agreed with Murray; see *ibid.*, p. 22.

108 *Y. supra*, p. 179.

109 *Y. supra*, pp. 259-261.

110 As for the Trustees, MacPhail considered that they "have not sufficient power to carry out their duties"; *Report*, p. 13.

111 The last two paragraphs have been based upon a reading of the testimony of witnesses, as recorded in *ibid.*, pp. 5-23. Those called to testify seemed eager to speak their minds.

The original purpose of the Committee had been to investigate reports of the teaching of sectarian religion in the public schools, and the testimony of the witnesses proved beyond doubt that the Christian Brothers had not modified their system of instruction to conform with the regulations of the Board.<sup>112</sup> MacPhail confirmed that religious teaching was increasing in Queens County, and that it was standard in all French schools.<sup>113</sup> On the other hand, another School Visitor, Norman A. Stewart, reported that vigorous action on his part in the last year had greatly reduced the amount of denominational instruction in Prince County schools. Nonetheless, the French schools posed a serious problem, as their main reading book was Le Nouveau Traité des Devoirs du Chrétien. This text, which was also used in Notre Dame Convent in Charlottetown, was unauthorized by the Board. Again, no one had taken the actions necessary to ensure compliance with the spirit of the Board's regulations: Stewart reported that "suitable elementary French Readers are not prescribed."<sup>114</sup>

Both of the public higher institutions were secular in practice: Prince of Wales College was so by virtue of its statute, and the Normal

<sup>112</sup> See references in fn. 61, on p. 269.

<sup>113</sup> See 'Report,' p. 13. MacPhail's policy had been not to interfere with religious exercises, as long as the parents did not object to them.

<sup>114</sup> Ibid., p. 10; also y. supra, p. 170. MacSwain, the School Visitor for Kings County and a Roman Catholic, was non-committal on the subject of sectarian teaching, although he had heard "indirectly....that it prevails in a great number [of schools]"; 'Report,' p. 15.

School by the inclination of its Head-Master, Donald Montgomery,<sup>115</sup> who testified that he did not recite the Board of Education's standard prayer,<sup>116</sup> or read the Bible.<sup>117</sup> Both Montgomery and Anderson complained that students coming from the district schools were inadequately prepared for advanced work. Anderson said that "The poor condition of the country schools is the great obstacle we have to contend with."<sup>118</sup> Anderson and Montgomery also asked for extra staff and classrooms, as the College and the Normal School were attracting more students than they could handle.<sup>119</sup>

The Report of the Davies Committee faithfully reflected the testimony of the witnesses it had summoned: the educational system of Prince Edward Island was in a state of general disrepair, and the non-sectarian character of the Act was being violated in many districts. The Board of Education appeared to be impotent: individual members could not agree on how to interpret the law, did not enforce the regulations which in theory governed the public schools,<sup>120</sup> and had not even provided a uniform

115 He had succeeded John Arbuckle Jr. in 1874; see Minutes of the Executive Council, November 3, 1874.

116 This prayer (which was supposedly obligatory) is reproduced as Regulation number one of the 'Revised and Amended Regulations to be observed in the District and other Public Schools of Prince Edward Island -1867,' in 'Report,' p. 27.

117 See ibid., p. 20. Montgomery declared that "I teach Secularism pure and simple"; ibid.

118 Ibid., p. 21; also see Montgomery in ibid., p. 20.

119 See Anderson in ibid., pp. 20, 21; also Montgomery in ibid., p. 20.

120 MacNeill testified that "The Board have never withheld any Schoolmaster's salary by reason of the books he used being denominational or otherwise"; ibid., p. 5. Yet he also stated that "Any teacher using books other than those allowed is not entitled to draw his pay"; ibid., p. 6.

list of books to be used throughout the Province. The Board members had virtually no direct contact with the school teachers, and often did not read the School Visitors' Reports (which were submitted directly to them) until they were published, which might be several months after they had been written. The Board's efforts to improve the City Schools had been fruitless. The net results were appalling: in the last year, in Queens County alone, thirty-seven more schools had closed.<sup>121</sup>

Despite the law, denominational education in the public schools was fairly common, and at least some of the Board members winked at it. In Queens County, it had been increasing steadily in the past year, as the licensing of the Christian Brothers — who did not modify their teaching to comply with the Board's regulations — was apparently understood by many teachers to signify a quiet change of policy on the part of the Owen Government. In Acadian schools, almost all the books were sectarian in character, and the status of English in these schools was nothing if not unclear. Of the higher institutions, only Prince of Wales College was doing the work for which it had been established. Montgomery's Normal School, although an excellent secondary institution, was not providing uniform professional training.<sup>122</sup> Of the grammar schools, most were not

121 In the Province as a whole, one-fourth of the schools were vacant; see Patriot, May 5, 1876. In Queens County less than one half of the children of school age attended classes regularly; in Kings County about one-third did so; and in Prince County the proportion was less than one-third. (ibid.)

122 The fault was not Montgomery's; the law since 1868 (y. supra, p. 179) had not required prospective teachers to attend the Normal School, and had provided little incentive for them to do so. MacPhail said that this change "had the result of deteriorating the class of teachers"; see 'Patriot,' p. 12. The Stowe System had fallen by the wayside over the years, as Joseph Webster had been the last Master of the Normal School who was familiar with it.

much more advanced in their curricula than were the district schools.

At least four basic changes were necessary if the Island's educational system was to be rehabilitated: compulsory attendance, higher salaries and better training for teachers, the appointment of a Superintendent, and a re-definition and clarification of the powers of the local Trustees.<sup>123</sup> The Report was written too late for discussion in the House of Assembly, but 1,000 copies of it were ordered printed in pamphlet form. Davies had conducted the Committee with a scrupulous regard to its terms of reference,<sup>124</sup> and as a result no one could discount its findings. It had produced a first-rate educative document, which was not marred by the presentation of a minority report. The investigation had served its purpose.

123 The information in the last two and one-half paragraphs has been drawn from ibid., pp. 1-5.

124 The one exception was the incorporation of the various suggestions for improvement into the body of the Report; the Committee justified this in the following terms: "These suggestions...were, to a great extent, illustrative of existing defects, and could not, though beyond the scope of the inquiry of your Committee, be well eliminated from the Report"; ibid., p. 1.



By the end of April 1876 the School Question stood in full view of the Island electorate. The Land Question,<sup>125</sup> the Railway Question, and Confederation had all been disposed of. With an undivided Opposition behind him, Louis Davies had seized the initiative from the faltering Conservative Government; in the past session, he had virtually commanded an investigation into the functioning of the public schools. Owen had abdicated, and not even attempted to resist. The resultant Report clearly showed that the school system was in desperate need of repair, and that the Government had been unable or unwilling to prevent denominational teaching at public expense. The stage was now set, the audience informed, the actors in full view, and all distractions removed. In short, the School Question was ripe for settlement.

125 For our purposes, the Land Question ended with the Confederation terms, which provided a loan of \$800,000 for the purchase of the remaining proprietary lands. In 1874 the Owen Government passed a compulsory Land Purchase Act which, after litigation, went into effect. For the sequel, see MacKinnon, The Government of Prince Edward Island, pp. 296-299.

## PART VI

## "Climax"

1876

(thesis)

The election of 1876 was fought on one issue: the School Question. Both 'Free Schoolers' and 'Denominationalists' agreed that the educational system was in drastic need of reform; the dispute centered upon whether the imparting of religious instruction in the public schools was compatible with this goal. The Free Schoolers in particular waged a single-minded campaign, and this strategy was to their advantage, for the direct confrontation gave full scope to the platform abilities of their leader, Louis Davies. When his opponent, James Pope, was compelled to retreat from his 'Summerside card' of 1868, and the Roman Catholics refused to follow, the Free Schoolers could contrast the clarity and simplicity of Davies's appeal with the many faces of James Pope. The dual tensions which had been building up — the need for reform, and the sectarian controversy — meant that Islanders wanted a final settlement of the issue. Davies, with his refusal to equivocate, seemed more likely to do this, and on 17 August the Province decided that religion and education did not mix.

## Chapter Eleven

The campaign of 1876 was one of the longest and most intensive in the political history of Prince Edward Island. It lasted almost two months and provided a spectacular confrontation on the School Question. The 'Free School Party'<sup>1</sup> was led by Louis Davies, a brilliant parliamentary debater and platform speaker who combined the alertness and solid argument of Coles with the eloquence and oratorical delivery of Whelan.<sup>2</sup> These qualities made Davies the ideal man to lead the 'Free School' forces at a time when circumstances seemed to demand decisive leadership; for years, the educational system had been mired in the bogs of conspiracies and defeated motions in the Legislature, and the inertia had become unbearable. All agreed that radical improvement was necessary, and Davies, a capable and straightforward young man who, by his representation of the tenantry before the Land Commission of 1875<sup>3</sup> had gained the reputation of being a 'Radical,' struck many Islanders as well-fitted for the task. Wilfrid Laurier once called

1 This was the name which Davies and his followers adopted; the *Patriot* even referred to "the late Liberal party." (August 18, 1876; this was probably published in the Semi-weekly edition of 12 August; *Y. infra*, p. 292, n. 26). The strategy was clear: to put Davies and his allies in the direct line of descent from Coles and Whelan, the framers of the 'Free School Act' of 1852.

2 At the age of sixteen or seventeen, Davies had been a leading member of the Charlottetown Debating Club; for a biographical note on Davies, *Y. supra*, p. 207, n. 21.

3 The Commission was established under the authority of Owen's Land Purchase Act; *Y. supra*, p. 284, n. 125. It began the final liquidation of leasehold tenure on the Island.

Davies "a brave of the brave, a man who is ready whenever the call of duty comes."<sup>4</sup> Certainly, contemporary Prince Edward Island knew no abler campaigner.

The two leading Liberals at Davies's side were William Stewart and Alexander Laird Jr. Although Stewart, who was a merchant and a farmer, lacked a higher education, he had read widely, and over the past three years had been the outstanding theoretical and philosophical defender of secular education in the Assembly. He fully agreed with Davies — who in the House had concentrated upon the political aspects of the School Question — that it "demands a speedy remedy,"<sup>5</sup> i.e. "a thorough revision of our present system."<sup>6</sup> If anything, Laird<sup>7</sup> was more forceful than Stewart. Even in the 1860's he had demanded compulsory attendance,<sup>8</sup> and now he warned that "If this state of things is allowed to continue, we will have a population of ignoramuses in a few years."<sup>9</sup> With the Scottish concern for education which had characterized his

4 Quoted by D.C. Harvey, in "Fielding's Call to Ottawa," *DE* (1948-49), p. 373.

5 Assembly Debates, 1876, p. 17.

6 Ibid., p. 104.

7 A member of the Coles, Hensley, and Haythorne Governments of the 1860's, he had been elected to the Legislative Council in 1874. He became Liberal leader in the upper chamber, and together with two other Liberal ex-M.H.A.s, Joseph Wightman and William McGill, dominated the body.

8 See e.g. Assembly Debates, 1867, p. 70.

9 Legislative Council Debates, 1875, p. 117.

younger brother David, he declared that "a man who is not educated should not be allowed to vote at elections."<sup>10</sup>

Stewart and Laird were able assistants of Davies, but the associate who occupied the number-two position throughout the campaign was a veteran Tory who was now retiring from local politics — Heath Haviland. Senator Haviland had a checkered career in matters of 'religion and education': a 'Biblican' in the 1850's, he had supported the 'Summerside card' in 1868, and now unequivocally embraced secularism as the only feasible basis for a public school system in a mixed community. Moody, impetuous, and sometimes unrestrained, Haviland also had a reputation for honesty, independence, and courage. A tireless campaigner who was effective on the platform, his influence was considerable, and his support much sought-after. Haviland played a crucial role in the contest of 1876, for his Toryism was unquestioned, and his constant presence at Davies's side gave substance to the younger man's contention that he was waging a bi-partisan campaign: "Old party ties have been severed. It is now a question not of men, not of party, but of principle."<sup>11</sup>

<sup>10</sup> Ibid., p. 114. )

<sup>11</sup> Electoral card of L.H. Davies, dated August 1, 1876, in Argus, August 1, 1876. After their first appearance together on the hustings, John Caven wrote that "Extremes have met, Haviland the exponent of high Tory principles; Davies the representative of liberal and popular rights. How can such things combine?" Editorial of Harold, July 12, 1876, as reprinted in Argus, July 18, 1876.

James Pope led the 'Denominationalists':<sup>12</sup> he had resumed leadership of what remained of the Conservative Party,<sup>13</sup> as Lemuel Owen simply disappeared from the contest.<sup>14</sup> The Lieutenant Governor, Sir Robert Hodgson, had once described Pope aptly: "a man of good sound common sense, not being highly educated, of indomitable courage, perseverance and energy — proud and ambitious — what Dr. Johnson terms 'a good hater' and of a very unforgiving disposition."<sup>15</sup> Like his brother William, who was one year his senior, James was a man of iron will; he did not have the cutting edge of William's intellect, but was by far his superior in the handling of men and business affairs. Lacking William's overbearing manner, he was much more a man of the people, and was known throughout the Province. He was engaged in shipbuilding, agriculture, fishing, and the carrying trade, and was in ways reminiscent of George Coles: aggressive and even pugnacious 'self-made men,' they sought absolute control within their respective parties.<sup>16</sup> A passionate

12 Pope's group had not sought the label 'Denominationalists'; however, it was not inaccurate, and it was how they were commonly referred to.

13 Executive Councillors John Lafargy and John Yeo followed Haviland into Davies's camp. W.G. Strong, Conservative Leader in the Legislative Council, also endorsed Davies.

14 The Free Schoolers claimed that Owen sympathised with their cause. See *Patriot*, June 9 and August 18, 1876; and *Argus*, July 25, 1876. Neither Owen (who did not contest his seat) nor the Denominationalists contradicted this assertion.

15 Hodgson to John A. Macdonald, September 26, 1875, *Macdonald Papers*, vol. 119, p. 48275.

16 It is revealing that on more than one occasion James Pope and Coles nearly came to blows in the House.

compromiser, James was nothing if not flexible on the School Question:<sup>17</sup> adherence to a specific policy was a matter of time and circumstance.

Frederick Brecken was Pope's leading Protestant associate in 1876. An able public speaker, Brecken had a confusing record on the School Question. In 1868 he had not declared himself on the Summerside card; two years later he had hinted that he favoured giving a grant to St. Dunstan's College, though not to 'the Bishop's schools';<sup>18</sup> in 1874 he saw justice in MacIntyre's request for aid to the latter institutions, but felt himself unable to vote in favour of grants to them;<sup>19</sup> and in the next year he said that if sectarian schools were subsidised in Charlottetown, the inevitable result would be an extension of the denominational system throughout the Island.<sup>20</sup> Yet in the campaign of 1876, he declared that "I am opposed to separate schools....But I will, if elected, and there is any possibility of carrying the point, vote for utilising the denominational schools in the towns."<sup>21</sup> Ambiguous or not as to what he meant when he spoke on the School Question, Brecken was a faithful and consistent follower of James Pope.

17 As early as 1868 he had made a point of discussing William's writings of 1861-63; see Summerside Progress, November 16, 1868.

18 Assembly Debates, 1870, pp. 56-58.

19 Y. Review, p. 251.

20 Y. Review, p. 257.

21 Report of a speech by Brecken at the Athenaeum in Charlottetown on 19 July 1876, in Advertiser, July 24, 1876.

The other important figure in the Denominationalist camp was of course W.W. Sullivan. A good debater, although he lacked the polish of Davies, Sullivan had by this time effectively established himself as the leading Roman Catholic public man in the Province. Over the twenty-sixth General Assembly he was the sole Catholic who had distinguished himself — only Conroy showed anything comparable to his persistence and vigour, as the Catholic Assemblymen on the whole formed a dispirited group. Perhaps by virtue of their lack of energy, Sullivan could now claim to control a solid 'bloc,' for the spectre of Centrism had faded away. Unfortunately for Pope, Sullivan went his own way, and virtually waged a separate campaign, in which he did not always trouble to confine his demands to the 'towns and villages.'<sup>22</sup>

Each of the two sides was backed by four main newspapers. The leading Free School organ was the Patriot, owned by David Laird and edited by Henry Lawson.<sup>23</sup> Just as Edward Whelan's Engineer had been the target for all comers in the 1850's and 1860's, so was the Patriot by the mid-1870's. On the School Question, Lawson declared in May that "The more we reflect upon the matter the deeper becomes our conviction that the only system of State education that stands any chance

22 As early as the Session of 1875, Sullivan had hinted that the Summerside card was not enough; although he did not desire the denominational system for "all country districts," it was imperative in Summerside, Georgetown, Charlottetown, Souris, "and other places." See Assembly Debates, 1875, p. 304.

23 Lawson was a talented writer who in later years worked on editorial boards in Montreal, Toronto, and British Columbia. Like William Pope and Duncan MacLean, he was under suspicion of being an 'infidel'; see Engineer, March 2, 1876.



of being permanent in a mixed community such as ours, is the secular system."<sup>24</sup> Like Davies, Stewart, and Haviland, he wanted to "see the School Question brought fairly before the people at the coming general election....free from all perplexing and confusing side issues."<sup>25</sup> The Patriot itself assured this, for it gave remarkably complete coverage to all the important public meetings of the campaign.<sup>26</sup>

The second major Free School paper was James H. Fletcher's Argus,<sup>27</sup> which complemented the detailed reports of the Patriot with effective and equally-detailed replies to the various arguments advanced by the Denominationalist press. Like his friend Haviland, Fletcher was a Conservative Protestant who decided in 1876 that he could not support James Pope's programme: he stated that "The question to be decided is not Liberal or Conservative — it is sectarian or unsectarian."<sup>28</sup> The adherence of the Argus to their cause was crucial to Free Schoolers for two reasons: it underlined their favourite theme of bi-partisanship, and, by Fletcher's count, his paper had the widest circulation ever attained by an Island journal.<sup>29</sup>

<sup>24</sup> Patriot, May 5, 1876.

<sup>25</sup> Ibid., June 9, 1876.

<sup>26</sup> This writer used the Weekly Patriot of 1876 as his source; it appeared on Friday and was an amalgam of the Semi-Weekly Patriots of Thursday and Saturday. Consequently, in reading articles in the weekly, one should be especially careful of expressions such as "last night's meeting," when attempting to pin down the dates of events reported upon.

<sup>27</sup> J. H. H. H., p. 241, n. 43.

<sup>28</sup> Argus, June 20, 1876.

<sup>29</sup> See H. H. H., April 11, 1876; see also Ibid., November 4, 1876.

The other two Free School papers were the Summerside Journal and the Presbyterian. The editor of the former paper was a one-time School Visitor named Peter Gunn, who approached the problem in a moderate and non-polemical fashion.<sup>30</sup> The Presbyterian was edited by the Rev. Stephen G. Lawson, who had founded it in early 1875. Mr. Lawson was so intemperate in his remarks that it is likely he did the Free School cause as much harm as good; indeed, he had never forgiven Henry Lawson for defending the system of education imposed upon the North West Territories,<sup>31</sup> and consequently he spent much of his time criticizing the Patriot for "unsoundness" on the School Question.

If in the 1870's the Patriot of Laird and Lawson filled the role of Whelan's Examiner, then the Examiner at this time occupied the position of the Islander of Duncan MacLean and W.H. Pope. As edited by William L. Cotton,<sup>32</sup> the Examiner was the Protestant Conservative organ throughout the campaign. After many years in the doldrums, its influence was growing again, especially after Cotton purchased the paper in July of 1875. Although only twenty-eight years old, he was a shrewd and enterprising businessman: within four months he announced that the Examiner's circulation was the largest since Whelan's death,<sup>33</sup> and by April of 1876

<sup>30</sup> The Journal does not survive for 1876, although the nature of Gunn's remarks may be judged by these excerpts from his editorials which were republished in other papers.

<sup>31</sup> I. AMER. pp. 266-268, and p. 268, n. 59.

<sup>32</sup> I. AMER. p. 240, n. 45.

<sup>33</sup> Examiner, November 15, 1875.

he claimed that it "was never larger than it is at present."<sup>34</sup>

Cotton's great rival was of course Henry Lawson, whose colleague he had been on the staff of the Journal several years earlier.

The policy of the Examiner was that of James Pope: 'Payment for Results' in the towns and villages of the Island. If the programme of Davies were carried, and the existing Education Law made compulsory, Cotton foresaw, "in all probability, ... open rebellion."<sup>35</sup>

The Herald, New Era, and Summerside Progress were the other three newspapers in the Denominationalist campaign.<sup>36</sup> Each represented the clerical Roman Catholic position. John Caven's Herald was probably the most influential of the three; Caven himself opposed W.W. Sullivan in St. Peters. The New Era was edited by P.R. Bowers, who was a former editor of the Examiner. Bowers strongly and not always temperately advocated sectarian education. Of the three papers, the Progress was probably the most extreme in its views: early in the campaign it declared that "Those who oppose the pretensions of the state in endeavoring to control education are the true champions of liberty."<sup>37</sup> The editor was generally believed to be the Rev. Dr. Cornelius O'Brien,<sup>38</sup>

<sup>34</sup> Ibid., April 3, 1876.

<sup>35</sup> Ibid., May 15, 1876.

<sup>36</sup> None of these three survive for 1876; hence all statements about their policies are based upon a reading of the numerous extracts from them which were published verbatim in other papers.

<sup>37</sup> Editorial of Summerside Progress, cited without a precise date, in Argus, June 27, 1876.

<sup>38</sup> See Presbyterian, June 15, 1876; Patriot, July 28, 1876; and Argus, August 8, 1876. A native Islander born in 1812 and ordained in 1871, he was most emphatically a protégé of the Bishop. He studied for seven years in Rome, and in the early 1870's taught at S.D.C. In 1881 he became Archbishop of Halifax, a position which he held until his death in 1906. See MacMillan, History of the Catholic Church in Prince Edward Island from 1822 to 1921, pp. 234-235.

who seems to have succeeded to a role not unlike that of Fr. Angus MacDonald in the early 1860's: editor and theological adviser to Bishop MacIntyre. Although more discreet, Dr. O'Brien was equally vehement: the Free School system was a "godless, pagan, infidel, unjust, wicked, rotten failure, radically wrong."<sup>39</sup>

Neither camp was free from factionalism: as has been related, Caven ran against Sullivan. Since the Herald for 1876 has not survived, we can only surmise that (a) he considered Sullivan's position on the School Question to be insufficiently strong, or (b) he was motivated by personal considerations,<sup>40</sup> or (c) both. On the Free School side, Stephen Lawson of the Presbyterian waged an unrelenting campaign against William Stewart. On 1 June the Presbyterian denounced him as "corrupt and very far from being what his constituents would wish him to be on the School Question....the most unsound by far of any Protestant member of the Opposition."<sup>41</sup> The Patriot rushed to Stewart's defence,<sup>42</sup> and eventually published letters from several Liberals,

<sup>39</sup> Editorial of Summerside Progress, cited without a precise date, in Presbyterian, July 6, 1876.

<sup>40</sup> Y. supra, pp. 240-242.

<sup>41</sup> Presbyterian, June 1, 1876.

<sup>42</sup> See Patriot, June 9, 1876. Throughout the campaign Henry Lawson consistently and unceasingly published articles in support of Stewart.

including Louis Davies, each testifying to Stewart's soundness.<sup>43</sup>

But all was in vain, for the Rev. Mr. Lawson continued his attacks; what his motives were is a matter of pure speculation, for Stewart's subsequent record on 'religion and education' was as 'sound' as was his past.<sup>44</sup>

Of the fifteen dual ridings in Prince Edward Island, six were considered 'safe' for the Free Schoolers, and four for the Denominationalists.<sup>45</sup> The remaining five were Charlottetown, Georgetown, Summerside, Cardigan, and Fort Augustus; the two rural districts seemed likely to split, or return two Denominationalists each.<sup>46</sup> Hence the battle — for either side — had to be won in the towns or not at all. Each of

<sup>43</sup> See letters of W.S. MacNeill, dated July 17, 1876; H.J. Callbeck, dated July 18, 1876; Manoah Rowe, dated July 27, 1876; Benjamin Davies, dated July 28, 1876; and William Welsh, dated July 28, 1876, all in *ibid.*, August 4, 1876. Also Stewart to L.H. Davies, dated July 28, 1876; and L.H. Davies to Stewart, dated July 28, 1876, both in *ibid.* In addition, Stewart wrote in his own defence; see his letter, dated June 16, 1876, in *ibid.*, June 23, 1876.

<sup>44</sup> The Progress, probably in order to cause dissension within the Free School camp, at one point professed to believe that Stewart would run "this time in the interest of the Pope Party"; editorial of Summerside Progress, July 10, 1876, as reprinted in Presbyterian, July 20, 1876.

<sup>45</sup> The Free Scholars were unopposed in the following districts: Port Hill, Bedeque, New London, Belfast, Rustico, and Murray Harbour. The 'safe' Denominationalist seats were Fighish, Egmont Bay, East Point, and St. Peters. If there was opposition in any of these ten districts, it was similar to the situation in St. Peters, where Caven opposed Sullivan, although both were strong Denominationalists. See Appendix, p. 323.

<sup>46</sup> Francis Kelly and Henry Beer, the two sitting M.H.A.s for Fort Augustus, had strong local backing; the Denominationalists fielded Donald Ferguson, a Protestant Conservative, in an effort to defeat Beer. In Cardigan, the sitting Roman Catholic M.H.A., James E. MacDonald, seemed assured of re-election; John Scrimgeour, who had defeated L.C. Owen in 1872, was attempting to gain the Premier's vacated seat for the Denominationalists. The Free Schoolers seemed unable to find a candidate. (A.W. Owen entered the contest in the last week.)

the three had sizable Catholic electoral minorities,<sup>47</sup> and the two larger ones, Charlottetown and Summerside, had private schools superior to their public ones. Both sides recognized the crucial character of the towns in the election, and Louis Davies left a safe seat in Murray Harbour to contest Charlottetown personally.

The campaign began on 20 June in Summerside. James Pope was there, and presented a resolution which advocated "accepting the assistance of the private schools." This, he said, would amend the Education Act so as to meet the wishes of those preferring denominational to secular education for their children, without altering the Free School system.<sup>48</sup> However, it did not satisfy two Protestant Conservatives, David Rogers and John R. Calhoun, who spoke against the resolution and caused its defeat.<sup>49</sup> J.H. Fletcher was equally annoyed with Pope, and wrote that "We must teach Mr. Pope once and forever that he is not dictator general for the whole Island — that there are other people with minds as well as himself."<sup>50</sup> Henry Lawson simply commented that "Mr. Pope has unbounded faith in the stupidity of the public."<sup>51</sup>

47 For the unique situation in Georgetown, see Appendix, p.323 , n. 2.

48 See Patriot, June 30, 1876.

49 See ibid.; and Argus, June 27, 1876. We may assume that Lawson and Fletcher were correct in saying that Pope's resolution was rejected, for the Examiner did not even report the meeting.

50 Ibid.

51 Patriot, June 30, 1876.

In any case, it was a notable setback for the Denominationalists, one which made them pause and reconsider their platform. Their next scheduled meeting was on 6 July at Market Hall in Charlottetown, and prior to it Pope met a group of between seventy and eighty of his Protestant backers in the capital. They recommended that he delete 'villages' from the resolution to be presented.<sup>52</sup> Pope agreed, but immediately found himself at loggerheads with his Roman Catholic supporters, who remembered that he had promised on 8 April in the Assembly never to retreat from his programme of 1868.<sup>53</sup> The result was a split in the Denominationalist forces: on the evening of the sixth, the Catholics refused to follow Pope, and boycotted the meeting. Pope, deprived of the majority of his backers, also failed to appear at Market Hall, although he was reputedly in Charlottetown that night.<sup>54</sup>

Some 800 people did appear,<sup>55</sup> and the first speaker was Senator Haviland. He proudly recalled that he had been in the Assembly twenty-four years earlier, when Coles and Whelan passed their Free Education

52 Among the villages which would be most likely to benefit from the unamended Summerside card were Alberton, Tignish, and Souris. It was unlikely that the demand for sectarian education would arise in the predominantly Protestant villages of Montague and Kensington. Pope had been basing his campaign upon the Summerside card.

53 *V. supra*, p. 274, n. 86.

54 *Argus*, July 11 and 25, 1876; *Examiner*, July 10, 1876; *Patriot*, July 14, 1876; and report of speech by Haviland at Market Hall in Charlottetown on 7 August 1876, in *ibid.*, August 11, 1876.

55 *Argus*, July 11, 1876.

Act. He said that he now knew the Summerside card of 1868 to have been "only a delusion and a sham." He himself would not contest the election, but he would not stand idly by, for it was "the most important one we ever had in the Island....all might be said to be at stake.... the denominational school system was suited only for the middle ages." J.H. Fletcher spoke next, and denounced Pope's 'Payment for Results' in the towns as "class legislation." If it were passed, the next demand would be the villages, and then the whole Province; the Bishop's pastoral<sup>56</sup> made no distinction -- what was godless in the town was godless in the country. W.D. Stewart<sup>57</sup> followed him with a theoretical comparison of secular and sectarian education, and closed by asking where James Pope was. Louis Davies then spoke, and declared the battle for Tory Charlottetown to be "the most important one in the whole Island." He deplored the social bifurcation which resulted from a segregated school system, and fondly recalled his student days at the mixed Central Academy of John Kenny. "The present contest would be final and conclusive."<sup>58</sup>

The Free Schoolers never lost their momentum after the two initial miscalculations on the part of their opponents. The Denominationalists were badly divided: on 10 July the Examiner, which supported Pope against the dissident Catholics, declared that

<sup>56</sup> V. supra, pp. 236-238.

<sup>57</sup> Throughout the rest of the campaign, Stewart and Alex. Laird were occupied with the organisation of the Free School forces in the rural areas.

<sup>58</sup> See Patriot, July 14, 1876.



Roman Catholics, as a body, have, during the past ten years possessed more power than they deserved. They have made and unmade Governments at their pleasure....Protestants, combined, have the power to change this state of affairs....They may elect a majority, and form a strong Protestant Government. They may pass an Act in which the 'nonsectarian system' will be maintained in its 'purity and integrity.'<sup>59</sup>

Cotton went on to praise the moderation of Pope in attempting to bridge the gap between the extremists on both sides. The Summerside card "would have been adopted — had the Catholics been satisfied. But they are not satisfied." Pope's group of Protestant Conservatives were thus "helpless," but they

do not care to be left out in the cold....They will, therefore, in all probability, join their non-compromising co-religionists, and assist in forming and supporting a strong Protestant Government....Catholics will have ample time before another generation of voters arises, to repent the rejection of Mr. Pope's scheme.<sup>60</sup>

Cotton then detailed the double taxation, compulsory attendance, and — possibly — the compulsory religion to which the Roman Catholics would be subjected.<sup>61</sup>

The Free Schoolers now had the ball at their feet, and they believed that they did not need James Pope. The Argus baldly stated that "Mr. Pope's record on the School Question is certainly a very inconsistent one. On that question he is not to be trusted."<sup>62</sup> Fletcher recalled Pope's plan in 1873 to give a grant to Catholic schools out of the extra money obtained

<sup>59</sup> Examiner, July 10, 1876.

<sup>60</sup> Ibid.

<sup>61</sup> Ibid.

<sup>62</sup> Argus, July 18, 1876.

as a part of 'better terms,' and Pope's claim two years later that the grant would not have meant recognition of denominational schools:

"Such arguments are only worthy of an intellectual dwarf, and can deceive no one."<sup>63</sup> Cotton complained that the Free Schoolers questioned Pope and his followers over and over again, dragged up previous inconsistencies, and simply refused to accept them as bona fide Free Schoolers. He gravely asserted that "A pledge should be required of Mr. L.H. Davies."<sup>64</sup>

Whatever were Cotton's doubts, the New Era had none: "Friendly as we feel towards him [i.e. Davies], we have to tell him that any Catholic who votes for him or his party at the coming election will be regarded as a man covered with leprosy."<sup>65</sup> On 15 July at the Athenaeum the Free Schoolers nominated Davies and George W. DeBlois for Charlottetown.<sup>66</sup> DeBlois's Toryism was "above suspicion," as Henry Lawson put it.<sup>67</sup> He had been an agent for those proprietors who were most opposed to the Owen

<sup>63</sup> Ibid.; also y. supra, pp. 221-222 ; and p. 221, n. 69.

<sup>64</sup> Examiner, July 17, 1876. Davies was supposedly 'unsound' owing to his continuing political alliance with David Laird.

<sup>65</sup> Editorial of New Era, cited without a precise date, in Patriot, July 21, 1876.

<sup>66</sup> See Argus, July 18, 1876. Brecken said that he had been approached by the Free Schoolers to be Davies's running mate, but had refused; see report of speech by Brecken at the Athenaeum in Charlottetown on 19 July 1876, in Examiner, July 24, 1876. Fletcher claimed that Brecken had told DeBlois that he did not plan to run; see Argus, July 25, 1876.

<sup>67</sup> Patriot, July 21, 1876.

Government's Land Commission, at a time when Davies was the legal counsel for the tenantry.<sup>68</sup> The bringing together of two men so dissimilar as Davies and DeBlois on the same electoral ticket made the Free Schoolers' claim to bi-partisanship that much stronger; furthermore, DeBlois, like Haviland, was a disillusioned supporter of the Summerside card of 1868.<sup>69</sup> DeBlois's card revealed his sentiments:

The time has arrived when...mere party differences should give way to a great public duty...the maintenance of our long established system of Non-sectarian Public Schools .... [its deterioration has been owing to] the openly avowed hostility to it of one denomination of Christians, whose constitutional representatives, by their united action have, I have reason to believe, hindered successive Governments from amending and improving it.<sup>70</sup>

He now opposed denominational grants "in any manner."<sup>71</sup> Davies's candidates in Georgetown were L.J. Westaway and Daniel Gordon, a former Conservative Legislative Councillor; they opposed the sitting Catholic

68 See DeBlois to Lord Dufferin (Governor General of Canada), May 13, 1875, in Secretary of State Correspondence, R.G. 6, A-1, file no. 755; and DeBlois to Robert Hodgson (Lieutenant Governor of P.E.I.), June 4, 1875, in ibid. In both letters DeBlois requested the withholding of assent from Owen's Land Purchase Act; Y. SUPRA, p. 284, n. 125; p. 286; and p. 286, n. 3.

69 Y. SUPRA, p. 188, n. 108.

70 Electoral card of G.W. DeBlois, dated July 20, 1876, in Patriot, July 21, 1876. According to Henry Lawson, the New Era of 22 July "indignantly" denied the charge of obstruction; see ibid., August 18, 1876.

71 Electoral card of DeBlois, dated July 20, 1876, in ibid., July 21, 1876.

Member, A.J. MacDonald.<sup>72</sup> In Summerside, the Free Schoolers nominated Angus MacMillan, who had defeated Pope in 1868, and John Lefurgy, a Protestant Conservative member of Owen's Executive Council.<sup>73</sup>

By this time it was clear to Pope that he would have to resume his Denominationalist position or retire from the contest. He and Brecken launched a counter-offensive, beginning at the Athenaeum in Charlottetown. Brecken spoke first, and attacked his opponents vigorously — they were of two classes: "religious politicians" and "political religionists."<sup>74</sup> Davies, "the Martin Luther of Charlottetown,"<sup>75</sup> was one of the latter, who were "selfish, hollow, and insincere." Brecken pledged himself to "utilizing the denominational schools in the towns ....I will go so far, but no further."<sup>76</sup> Pope, who had left his seat in Summerside to contest Charlottetown with Brecken, declared that he had no personal ambitions in Island politics. "But there was one question which he should like to see settled before he retired from the field." Again he maintained that his programme for the towns meant paying for secular results only, and not for religious ones.<sup>77</sup> The Free Schoolers

72 Senator Haviland was the other incumbent M.H.A. for Georgetown. He took an active part in the campaign against A.J. MacDonald, who was assisted by Sullivan. See ibid., July 28, 1876; and Examiner, July 24, 1876. MacDonald had been a member of Owen's Executive Council.

73 Patriot, July 21, 1876; for Lefurgy's explanation of his decision to join the Free Schoolers, see Assembly Debates, 1877, p. 105.

74 Examiner, July 24, 1876. The meeting was held on 19 July.

75 Presbyterian, July 27, 1876; also see Argus, July 25, 1876.

76 Examiner, July 24, 1876.

77 Ibid. As far as the present writer can discern, this argument was first used by W.H. Pope in the Islander, June 19, 1868.

were "intolerant bigots."<sup>78</sup>

Two nights later, Pope and Brecken travelled to Summerside to endorse Daniel Green<sup>79</sup> and Richard Hunt. The hall where they spoke was filled, and 200 had to stand. Thomas Kelly was the first to address the audience, and he quoted Haviland's changing views over the years; but when he came to a reading of Haviland's current statements, the applause drowned him out. It was typical of the evening: when Pope attacked John Calhoun<sup>80</sup> in personal terms, Calhoun arose and replied in kind. The Patriot reported that the chairman of the meeting refused to count the show of hands on Pope's resolution.<sup>81</sup> In any case, the Examiner failed to report the meeting at all, and the Free School press claimed it as a victory. On the same night, Davies, DeBlois, and Haviland appeared at Market Hall in Charlottetown.<sup>82</sup>

One week later, on 28 July at the Charlottetown Skating Rink, Davies and Haviland<sup>83</sup> confronted Pope and Brecken before an audience of 1500. The accounts of what happened are not in accord. What is certain is that Brecken spoke first, for an hour or more; then Haviland attempted to follow him, and was 'howled down.' What is in dispute is the reason

<sup>78</sup> Presbyterian, July 27, 1876.

<sup>79</sup> Green had been Conservative M.H.A. for Summerside from 1867 to 1870.

<sup>80</sup> Y. supra, p. 297.

<sup>81</sup> See letter of "Spectator," dated July 22, 1876, in Patriot, July 28, 1876; also Argus, July 25, 1876.

<sup>82</sup> See ibid.; also Patriot, July 28, 1868.

<sup>83</sup> DeBlois was unable to be present; in any case, he was not an effective public speaker.

for the uproar: the Free Schoolers claimed that they were being denied a hearing,<sup>84</sup> and the Denominationalists asserted that they simply wanted to hear Davies next.<sup>85</sup> Davies did try to speak, but he also was unable to make himself heard.<sup>86</sup> He and Haviland then left the Rink, taking with them a considerable portion of the audience.<sup>87</sup> The rump of the meeting continued, and Pope read his electoral card, which stated that

I am in favor, in the towns of this Province, of utilizing the private schools...and of paying for the secular education therein given, a per capita allowance equal to the amount which the state would be called upon to pay for these pupils if educated in the Free Schools.<sup>88</sup>

Pope finished by describing himself as "an upholder of Free Schools."<sup>89</sup>

On 7 August Davies, Haviland, and DeBlois addressed a 'Monster Meeting' at Market Hall. The two Conservatives related how the Bishop's pastoral of 1873 had convinced them that any concession regarding the towns and villages would simply be the 'thin end of the wedge.' Davies gave the major speech of the evening, and began by relating how the

<sup>84</sup> See Patriot, August 4, 1876; and Presbyterian, August 3, 1876.

<sup>85</sup> See Examiner, July 31, 1876; and Argus, August 8, 1876.

<sup>86</sup> See Patriot, August 4, 1876.

<sup>87</sup> Henry Lawson claimed that two-thirds of those present left with Davies and Haviland; see ibid. Fletcher agreed, and estimated that 1000-1100 left; see Argus, August 1, 1876. Cotton mentioned no numbers.

<sup>88</sup> Examiner, July 31, 1876. Brecken's card said that "all schools established by the Government must be secular"; ibid. As Fletcher pointed out, this left the door open to Government maintenance of any and all schools established by religious denominations; see Argus, August 1, 1876.

<sup>89</sup> Examiner, July 31, 1876.

Herald was threatening his legal business with the loss of all Roman Catholic clients. He went on to say that, contrary to the Examiner's insinuations, he would not ban the Bible from the schools<sup>90</sup> — it was not a sectarian book. He then took off his gloves, figuratively speaking. The Denominationalists complained of the public schools of the City, but Brecken had for thirteen years represented Charleottetown in the Legislature, and had done nothing about them. If the Bishop had had the interests of education, and not those of his own denomination, at heart, he would have worked for the improvement of the Free Schools, instead of setting up a rival system. But he gave MacIntyre credit for honesty: reading from his pastoral of 1873, he said that the Bishop agreed with him — there could be no compromise.<sup>91</sup>

As an anonymous writer to the Patriot expressed it, "it is nothing but politics these days, here, there and everywhere. The very boys on the street ask each other if they are sound on the School Question."<sup>92</sup> The campaign reached its peak in intensity on Nomination Day, 10 August. James Pope struck a Liberal Assemblyman, Henry Beer, in a dispute about the authorship of the Draft Bill of 1872.<sup>93</sup> Beer fought back, and the

<sup>90</sup> Cotton had been making this accusation since late July; see ibid., July 24, 1876.

<sup>91</sup> See Patriot, August 11, 1876. Fletcher, himself an accomplished public speaker, wrote that Davies's speech on the evening of 7 August was "the most forcible and eloquent which we ever heard that gentleman give"; ARMB., August 15, 1876.

<sup>92</sup> Letter of "Protestant Elector," undated, in Patriot, July 26, 1876.

<sup>93</sup> I. ARMB., pp. 209-212.

two had to be separated.<sup>94</sup> All the leading campaigners addressed the crowd that was present, and the speech of the day was given by Louis Davies; even the Examiner reported that it was "brilliant — as usual ... adorned with the graces of rhetoric and the charms of a winning voice."<sup>95</sup>

The moment of truth came on 17 August. The Free Schoolers swept to a nineteen-to-eleven victory. They took all three of the towns — the towns to which Pope had promised denominational schools, — and one of the doubtful rural seats.<sup>96</sup> In short, Davies's party had won seven of the ten contested seats,<sup>97</sup> and this was more than enough. In Charlottetown, the results caused a near-riot: following their announcement, when Davies tried to speak at one of the polls, after Pope and Brecken had addressed the crowd, he was met with a volley of stones. He and his friends were compelled to retreat to his carriage, and flee

94 Patriot, August 18, 1876. Beer alleged that Pope had publicly named Haviland as the author of the Draft Bill. Haviland of course denied it, and Pope denied Beer's accusation. Also see report of speech by Haviland at Market Hall in Charlottetown on 7 August 1876, in ibid., August 11, 1876.

95 Examiner, August 14, 1876.

96 Of the three urban contests, that of Georgetown was the closest, as Gordon and Westaway defeated MacDonald by a handful of votes. In Summerside it was more decisive: MacMillan 549, Lafurgy 545, Hunt 308, and Green 285. In the capital, the final results were DeBlois 992, Davies 989, Pope 880, and Brecken 865. See Patriot, August 25 and September 1, 1876. The Denominationalists took both seats in Cardigan, but failed to unseat Henry Beer in Port Augustus. John Springour (Cardigan) was the only Protestant Denominationalist elected.

97 By a "contested" riding, this writer means that there were at least one Free Schooler and one Denominationalist running.



to safety. The disturbances continued into the early hours of the night,<sup>98</sup> before order was restored to the streets of the capital.<sup>99</sup>

Regardless of the ill grace with which some accepted defeat, no one could dispute that Prince Edward Island had declared itself on the School Question. Davies had waged the campaign on one issue: the need for a mandate to make radical improvements in the educational system, which would be explicitly based upon the non-sectarianism implied in all the Island's previous school legislation. The mandate had been given, and Davies had his majority. All that remained was to translate the will of the electorate into law.

98 William Welch, a Liberal Free School M.H.A., was attacked, but was rescued by Daniel Davies and A.B. Warburton (the son of James Warburton). When the Free Schoolers held a meeting at Scott's Hall, the windows were broken by stones; see Argus, August 22, 1876.

99 The account of the disorders is drawn from ibid.; Patriot, August 25, 1876; and Presbyterian, August 24, 1876. Cotton simply referred to the incidents as "very disgraceful"; Evening, August 21, 1876.

Epilogue<sup>1</sup>

The 'Public Schools Act'<sup>2</sup> of 1877 did everything expected of it. It made attendance compulsory,<sup>3</sup> clarified and strengthened the powers of the local Trustees, and improved the status and training of teachers, in the process reviving the original important role of the Normal School. It provided for a well-paid Superintendent of Education, reconstituted and secularized the Board of Education, and created a single, unified Board of Trustees for Charlottetown, endowed with the means necessary to upgrade the City Schools. Section ninety-

1 The Epilogue does not purport to give a complete treatment of the subjects touched upon, for it is this writer's belief that they simply form a logical sequel to the election of 17 August 1876.

2 See 40 Vic., c.1.

3 There were two compulsory measures, one direct and the other indirect. The former was Section ninety, which provided that every child between the ages of eight and thirteen must be sent to school for at least twelve weeks a year, six of the twelve being consecutive; failure on the part of the parent or guardian to execute this duty would result in a fine of up to twenty dollars, unless (a) exceptional poverty could be demonstrated, or (b) the child was receiving similar training for an equal duration of time, or (c) the child already had equivalent attainments, or (d) a physical or mental ailment was keeping the child at home. Sections fifteen and sixteen provided that should the average daily attendance be less than one half of the eligible children in the district, a "proportionate deduction" would be made from the Provincial grant for the teacher's salary; this deduction would be made up by the local Trustees, who would at their absolute discretion levy the amount upon those parents whose "neglecting or refusing to send their children to school" had caused the Treasury to withdraw a part of its salary grant to the teacher. (If the deficiency in attendance were due to illness, the levy would be general.)

two continued the 'Bible clause' of 1860,<sup>4</sup> and stipulated that "All schools conducted under this Act shall be non-sectarian...."<sup>5</sup>

W.W. Sullivan had led the Opposition in the debates on the Public Schools Act.<sup>6</sup> He wanted two concessions: religious instruction in 'unmixed' schools, and, in 'mixed' ones, optional religious training after regular hours.<sup>7</sup> Premier Davies replied that the latter was permitted under the provisions of the Act,<sup>8</sup> but insisted that regular class hours in all schools be entirely and exclusively devoted to secular teaching.<sup>9</sup> Most of the other arguments arose on the matter of textbooks, which the Government made uniform and non-sectarian throughout the Province.<sup>10</sup>

4 V. supra, p. 67.

5 The 'Common Schools Act, 1871' of New Brunswick was the P.S.A.'s prototype. While framing it, Premier Davies made a special trip to N.B. to confer with Government and Roman Catholic authorities there; W.D. Stewart also visited N.B. See Minutes of the Executive Council, June 23, 1877; Mackenzie to Davies, October 6, 1877 (private and confidential), Mackenzie Letterbooks, vol. 6, p. 248; Alexander Laird Jr. in Legislative Council Debates, 1878, p. 195; and Stewart in Assembly Debates, 1877, p. 55.

6 See Note A, pp. 315-316. With the disappearance of Owen, Pope, Haviland, and Brecken from the Assembly, the position of Leader of the Opposition almost fell to Sullivan by default.

7 See Assembly Journal, 1877, pp. 58-59; 'towns and villages' were forgotten, as they had in the election of 1876 manifested no desire for sectarian schools.

8 See Davies in Assembly Debates, 1877, p. 49; and Stewart in ibid., p. 55.

9 The sole exception was the daily permissive Bible-reading.

10 See 40 Vic., c.1, s.69. For the situation in the schools attended by the French Acadians, see Note B, pp. 317-322.

The Act was a complete success,<sup>11</sup> and by the end of 1877 even St. Patrick's School had registered under it.<sup>12</sup> Between 1876 and 1879 the number of teachers employed rose from 344 to 450, and the number of vacant schools fell from sixty-eight to twenty-one.<sup>13</sup> Attendance increased greatly and new schools were being built throughout the Province. As a result, there was renewed public interest in the problems of education; one School Visitor said that the enthusiasm was "not a little surprising to one acquainted with the old order of Educational affairs on this Island."<sup>14</sup> The question of denominational teaching simply fell to the wayside in the wake of the undisputed improvement in the government schools.

11 See S.N. Robertson, "The Public School System," in MacKinnon and Warburton, eds., Past and Present, pp. 383a-387a.

12 This was done under Section ninety-three (n). The Wesleyan Academy, having become the 'Female Protestant Academy' (supported by Presbyterians and Wesleyans), had signed up in August 1877. For the story of the integration of St. Patrick's into the public school system, see Memorandum of Bishop MacIntyre, dated September 18, 1877, MacIntyre Papers; MacIntyre to Davies, September 29, 1877, ibid.; unsigned draft letter of MacIntyre to the Archbishop of Halifax, September 29, 1877, ibid.; Davies to MacIntyre, October 3, 1877, ibid.; MacIntyre to Davies, October 13, 1877; Trustees of St. Patrick's School to James Duncan (Chairman of the Charlottetown School Trustees), December 5, 1877, ibid.; MacIntyre to Duncan, December 14, 1877, ibid.; and Report of the Charlottetown School Trustees, Assembly Journal, 1878, Appendix A, pp. 25-28. The Christian Brothers left P.E.I.

13 Robertson, "The Public School System," in MacKinnon and Warburton, eds., Past and Present, p. 387a.

14 Report of W.W. Peterson (School Visitor for Kings County), Assembly Journal, 1878, Appendix A, p. 19.

In the meantime, the Davies Government was steadily losing popularity. The Province was undergoing a period of fiscal readjustment following Confederation, and in the generally-depressed economic conditions of the late 1870's, the Island simply did not have enough revenue to pay for the expenses of the Public Schools Act and the numerous works of capital construction initiated by the Government. The result was that Davies had to introduce a poll tax and a real property tax.<sup>15</sup> The former was greatly resented, for failure to pay it meant disenfranchisement, and the latter provoked countless 'indignation meetings,' as citizens complained that property assessments were being unfairly made.

By the end of August 1878 four of the five Conservatives<sup>16</sup> in the cabinet left the coalition. Part of the reason was the Government's unpopularity, but the immediate cause of the split was dissension raised by the vigorous support which Davies and William Stewart were giving to the Dominion Government in its attempt to gain re-election.<sup>17</sup> The seeds

<sup>15</sup> The latter tax applied to "land and all buildings or other things erected thereon, or belonging or affixed thereto, and also any term of years in land"; 40 Vic., c.2, s.3(1).

<sup>16</sup> G.W. DeKleis, Daniel Gordon, John Lafurgy, and Samuel Prowse deserted Davies, but John Yeo remained on the Executive Council. Davies unsuccessfully attempted to get four Roman Catholic M.H.A.s (Nicholas Courcy, Francis Kelly, Laughlin MacDonald, and J.R. Macdonald) to replace DeKleis and his friends. See Davies in *Assembly Debates*, 1879, First Session, pp. 57, 74, and 91; Courcy in *ibid.*, pp. 72-74; Kelly in *ibid.*, p. 91; W.W. Sullivan in *ibid.*, p. 104; and Yeo in *ibid.*, p. 116.

<sup>17</sup> All the Liberal candidates but James Yeo Jr. were defeated. David Laird believed the association with the Davies Government to have hurt the federal Liberals badly; Macdonald agreed. See Laird to Macdonald, December 7, 1878, *Macdonald Papers*, pp. 2185-2186, and Macdonald to Laird, January 29, 1879, *Macdonald Papers*, vol. 2, pp. 613-616.

of this conflict had been present from the beginning: the formation of the Government in September of 1876 had required a two-day meeting, and a Conservative, John Yeo,<sup>18</sup> was named 'Associate Leader,' in an attempt to appease those upset by the fact that both Government House leaders (Davies and Alexander Laird Jr.) were Liberals.<sup>19</sup> When, in November of 1876, David Laird was appointed Lieutenant Governor of the North West Territories, and a bye-election was held for his vacated seat, the Provincial Secretary-Treasurer, George DeBlois, had publicly disassociated himself from Davies's efforts to secure the constituency for Mackenzie.<sup>20</sup>

The Davies Government was defeated on 6 March 1879 in the House of Assembly by a vote of nineteen to ten.<sup>21</sup> At the election held on 9 April of that year, the Liberals<sup>22</sup> lost by a margin of twenty-six to four, and both Davies and Stewart suffered personal defeat. However, the new Premier,

18 First elected in 1858, he had been a Conservative until the Free School campaign; he was a son of James Yeo Sr., and a brother of James Yeo Jr., who at this time was a Liberal M.P.

19 See Patriot, September 8, 1876; Donald Farquharson in Assembly Debates, 1879, First Session, p. 64; James E. Robertson in ibid., p. 84; and Davies in ibid., p. 32.

20 See letter of DeBlois to the Editor of Examiner, dated November 9, 1876, in Examiner, November 13, 1876; DeBlois in Assembly Debates, 1879, Second Session, pp. 27, 48; and Stewart in ibid., First Session, p. 55. Davies's efforts were unsuccessful, as J.C. Pope (with the aid of Senator Haviland) defeated William Welsh, a Liberal M.H.A. Haviland had been offered the Liberal nomination under certain conditions, but he refused. See Davies to Mackenzie, October 13, 1876 (confidential), Mackenzie Papers, pp. 1386-1389; and Stewart in Assembly Debates, 1879, First Session, p. 39.

21 See Assembly Journal, 1879, First Session, p. 14.

22 The old party labels had come back into common use after the resignation of the four Conservative Executive Councillors in August of 1878.

Sullivan,<sup>23</sup> did not interfere with the non-sectarianism of the Public Schools Act. On 20 November 1878 the Herald had stated that the Opposition Leader (i.e. Sullivan) "has as little intention of changing that Act as he has of remodelling the decalogue,"<sup>24</sup> in January of 1879 Sullivan himself made the point absolutely clear in a public letter which stated that

At the last General Election public opinion pronounced in favor of undenominational education, and the views of the majority have been carried into law. The Act is now, I believe, receiving general acquiescence, and it is not my intention, no matter what position I may hold in the next Government to change, in any way, its undenominational character; in fact, the policy of the Opposition is to faithfully carry out the desire of the majority of the electors by retaining, in its integrity, the non-sectarian principle, as it exists in the present law.<sup>25</sup>

The Public Schools Act was a fait accompli, and Roman Catholic denominationalism in education had become a dead issue. A decision had been made and implemented, and no one showed any disposition to reverse it.

23 Sullivan, who in 1877 had become the first Roman Catholic Leader of the Opposition in P.E.I., now became the first Catholic Premier. George Howlan in 1870 had been the first Catholic Government Leader in the Assembly, as Premier Haythorne was an M.L.C.

24 Editorial of Herald, November 20, 1878, reprinted in Examiner, November 20, 1878.

25 Letter of Sullivan to the Rev. Stephen G. Lawson, dated January 7, 1879, in ibid., January 11, 1879 (the emphasis is that of Sullivan). Even Conroy concurred; see Assembly Debates, 1879, First Session, p. 72. Sullivan's major innovation was the amalgamation of P.W.C. and the Normal School in 1879, and his abolition of the College's independent Board of Governors. See 42 Vie., c.3, s.5. The College was governed by the Executive Council until 1965, when it again obtained an autonomous Board. Sullivan appointed John Owen to the staff of the amalgamated institution.

## NOTES

Note A. The legacy of Edward Whelan in matters of 'religion and education.' In 1877, speaker upon speaker in the Assembly claimed to be carrying forward the liberal tradition of Edward Whelan as regards the role of religion in public education. The Roman Catholics invoked the memory of George Coles as well, for he ~~had~~ been a Protestant who was closely associated with Catholics throughout his political career; but he, unlike Whelan, had been alive to say 'no' to Catholic requests in 1868 (y. supra, pp. 181, 182 ). The Protestant Members naturally preferred to cite Whelan, for he had been a Roman Catholic who, they believed, would never have advocated separate schools (e.g., y. supra, p. 175 ). Twenty years earlier, he had unequivocally denounced "the religious element in...public schools" (y. supra, p. 19).

It may be argued that such speculation was and is pointless. However, this writer maintains that the answer is important, for it is intimately involved with the question of whether Roman Catholics or Protestants were the heirs of the liberal tradition in Island politics after the demise of Coles and Whelan. The crucial year was 1870, and the issue is whether those Catholics who left the Liberal Party carried political liberalism with them. If, as this writer believes, they did not, there is a lack of continuity which must be accounted for. The new dominant force among Catholic public men was the increasing ultramontanist of Bishop MacIntyre (y. supra, pp. 236-239). George Howlan was simply unable to effect the weight of MacIntyre's influence; what was more, he owed his own political beginnings to the Bishop (y. supra, p. 135, n. 51 ). The result was that



the Catholic Members, who had previously been hostile to anything more than permissive Bible-reading in the public schools, adopted the clerical programme. Any differences with their Bishop became ones of degree and timing, not of basic objectives. (They only gave up after their clear-cut defeat in 1876; then W.W. Sullivan said the matter was closed — "no matter what Pastoral had been or would be issued" (Assembly Debates, 1879, First Session, p. 103).<sup>26</sup>

If, as in the rest of the western world, separation of church and school is to be regarded as an integral part of nineteenth-century liberalism, then Protestants such as Benjamin and Louis Davies were the liberals of the 1870's in Prince Edward Island. Given this, we may also conclude that they, and not Whelan's co-religionists, were his heirs.

<sup>26</sup> Sullivan made this declaration in the light of Bishop MacIntyre's recent statement that "A lesson of the catechism ought to be a portion of every day's school task. Unfortunately we cannot make it so now; but we must not forget that the difficulty in this regard is not ended. It is only in abeyance...."; Pastoral of Bishop MacIntyre, dated February 7, 1879, MacIntyre's Papers.

Note B. The French Acadian Schools and the Appeals of Bishop MacIntyre.

After the passage of the Public Schools Act, Bishop MacIntyre attempted to have it disallowed under Section ninety-three, subsections one and three of the British North America Act (y. supra, p. 213; and p. 214, n. 42). First he asked Lieutenant Governor Robert Hodgson to reserve the Act for the pleasure of the Governor General, Lord Dufferin, but Hodgson refused. On 6 June MacIntyre submitted to Dufferin a petition with 18,000 names attached; he claimed that since the schools attended by the Acadians had featured sectarian teaching — he produced several certificates to this effect, — the Act violated the rights held by the Roman Catholics of Prince Edward Island prior to Confederation. He further asserted that there were a class of separate schools known as 'Anglo-Rustico Schools,' and that there were thirty-one in number.<sup>27</sup> This was apparently based on a reading of the 'Anglo-Rustico' and 'elastic' clauses of the Education Act of 1868 (y. supra, pp. 169 and 180). On 30 June, one day before the Public Schools Act was scheduled to go into effect, Davies's Executive Council replied to MacIntyre. The 'elastic' clause had never, to the knowledge of them or of Donald MacNeill, the Secretary of the Board of Education, been invoked. Anglo-Rustico itself was the only district which had a second school, and if it was sectarian, it was so in defiance of the law. As the Executive Council pointed out, Section ninety-three of the British North America Act applied only to rights or privileges secured "by law."

<sup>27</sup> In 1879, Joseph S. Arsenault, the sole Acadian Assemblyman, explicitly denied the Bishop's contention: "No separate school supported by the Government had ever existed in this Province; even the Acadian Schools were not sectarian schools"; Assembly Debates, 1879, First Session, p. 92.

While Davies and his Government prepared their answer, the Bishop continued his campaign. He had already had the two Roman Catholic Members of Parliament from the Island, Stanislaus Perry and Dr. P.A. MacIntyre, write to Mackenzie. The Prime Minister replied that it was strictly a legal matter — if the Act was ultra vires, it would be disallowed; if not, it would stand. To Perry he wrote that "We are as much confined to the law as any individual...however much we might personally regret any injustice done to any portion of the inhabitants." This was the same as what he had recently said to Premier Davies: political arguments and considerations of equity were irrelevant. After reading the briefs of MacIntyre and his lawyer, Edward J. Hodgson, Mackenzie wrote that "no doubt [they] make out a pretty strong case, assuming their statements are correct.... [they] have succeeded in creating a very widespread impression that your [Davies's] action has been oppressive...." In the first half of 1877, MacIntyre had made two trips to Ottawa, and Mackenzie informed James Yeo Jr. that "I have seen the Bishop repeatedly about it [i.e. the School Question] ."

When Bishop MacIntyre returned from Ottawa, he wrote to Dufferin again; he warned that should his demand for disallowance not be complied with, "every Catholic from Cape Breton to Vancouver Island must and will feel he has been betrayed. The effects of such action cannot and will not be limited to the wronged inhabitants of Prince Edward Island." On 1 August he sent a circular to the parish priests in Acadian areas; he stated that

All I can do, is being done for the welfare and protection of my french people, and with that object in view I desire them not to send their children to the Schools about to be opened under the new system....If the French people send their children to the new schools, it will be claimed that they do not value their own Schools, and the religious instruction which was imparted in them, and this will be urged with much vehemence upon the general Government.

As the Acadian boycott of the public schools began to take effect, the Bishop again wrote to Dufferin, insinuating that the Davies Government had closed the Acadian schools.

On 8 November the Minister of Justice, Rodolphe Laflamme, after considering the documents submitted by each side, recommended that the Act be left in operation. He was unequivocal, and the Privy Council showed no hesitation in accepting his advice. There had been no sectarian schools established by law in Prince Edward Island prior to 1873. Mackenzie wrote to Davies that when Edward Hodgson had had an interview with Laflamme, the latter had in effect said "don't waste my time with useless argument." Hodgson's reasoning was "so absurd" as to be "comic." There would be no Dominion intervention.

But, characteristically, Mackenzie advised Davies that it was "exceedingly desirable that you should come to some understanding with the Bishop." This the Island Premier was already attempting to do. On 11 September he had assured MacIntyre in writing that new French textbooks were on order; until they arrived, the Acadian children, who by this time had for the most part returned to school, would continue to use their old, sectarian ones. Once they did arrive, it appears that they were entirely satisfactory. By the end of September, Davies and MacIntyre began negotiations on the future of St. Patrick's School. By 24 December agreement

had been reached upon a rental scheme: the Bishop could use the building for whatever purposes he saw fit at any time outside of the prescribed hours of secular training.

The sources for this Note are the following, and it is advisable to read them in this order and in full: Bishop Peter MacIntyre to Robert Hodgson (Lieutenant Governor), April 17, 1877, Assembly Journal, 1878, Appendix A, pp. 59-60; Hodgson to MacIntyre, April 18, 1877, Dominion House of Commons Sessional Papers, 1894, vol. 17, no. 40b, p.2; Hodgson to R.W. Scott (Secretary of State), May 15, 1877, ibid., pp. 2-3; MacIntyre to Lord Dufferin (Governor General), May 12, 1877, Assembly Journal, 1878, Appendix A, p. 61; petition of 18,000 Roman Catholics of P.E.I. to Dufferin, ibid., pp. 61-63; translation of a petition of P.E.I. Acadians to Dufferin, ibid., pp. 63-64; memorandum of MacIntyre and the Rev. Dr. Cornelius O'Brien to Dufferin, June 6, 1877, ibid., pp. 64-65; MacIntyre to Dufferin (enclosing several certificates and a petition), June 20, 1877, ibid., pp. 65-67; "Attorney General's Reasons for passing 'The Public Schools Act, 1877,'" undated, ibid., pp. 91-93; Minutes of the Executive Council, June 30, 1877; Donald MacNeill to L.H. Davies, June 28, 1877, in Assembly Journal, 1878, Appendix A, p. 76; Alexander Mackenzie to S.F. Perry, June 23, 1877 (private), Mackenzie Letterbooks, vol. 8, pp. 6-7; Mackenzie to Dr. P.A. MacIntyre, June 23, 1877, ibid., vol. 7, pp. 390-391; Edward Klake to Davies, June 11, 1877 (private and confidential), Klake Letterbooks, vol. 10, pp. 437-438; Mackenzie to Davies, June 12, 1877 (private and confidential), Mackenzie Letterbooks, vol. 8, pp. 515-516; Mackenzie to

James Yee Jr., June 22, 1877 (private), ibid., p. 592; Bishop MacIntyre to Dufferin, July 2, 1877, Secretary of State Correspondence, R.G. 6, A-1, file no. 654; MacIntyre to a Roman Catholic priest, August 1, 1877, MacIntyre Papers; Report of Norman Stewart (School Visitor for Prince County), Assembly Journal, 1878, Appendix A, p. 17; MacIntyre to Dufferin, August 31, 1877, Secretary of State Correspondence, R.G. 6, A-1, file no. 654; Report of the Minister of Justice, November 8, 1877, Assembly Journal, 1878, Appendix A, pp. 78-90; copy of Minute of the Privy Council of Canada, November 12, 1877, in ibid., p. 77; Mackenzie to Davies, October 6, 1877 (private and confidential), Mackenzie Letter-books, vol. 6, pp. 247-248; Davies to MacIntyre, September 10, 1877, MacIntyre Papers; Davies to MacIntyre, September 11, 1877 (two letters), ibid.; Memorandum of MacIntyre, dated September 18, 1877, ibid.; MacIntyre to Davies, September 29, 1877, ibid.; unsigned draft letter of MacIntyre to the Archbishop of Halifax, September 29, 1877, ibid.; Davies to MacIntyre, October 3, 1877, ibid.; MacIntyre to Davies, October 13, 1877, ibid.; Trustees of St. Patrick's School to James Duncan (Chairman of the Charlottetown School Trustees), December 5, 1877, ibid.; MacIntyre to Duncan, December 14, 1877, ibid.; Report of Charlottetown School Trustees, Assembly Journal, 1878, Appendix A, pp. 25-28; Report of Edward Manning (P.R.I. Superintendent of Education), ibid., pp. 3-4; Report of William MacPhail (School Visitor for Queens County), ibid., p. 14; and Alexander Laird Jr. in Legislative Council Debates, 1878, p. 40.

The subject of this Note has been dealt with in the following two published secondary works: Miller, National Government and Education in Federal Provinces: Building of Canada, pp. 180-184; and Lionel Groulx,

L'Enseignement Français au Canada (Tome II) (Montréal:1933), pp. 54-

58. The latter author accepts Bishop MacIntyre's arguments in toto, and disregards the crucial P.E.I. cabinet Minute of 30 June 1877; he also appears to apply his (Groulx's) analysis of the New Brunswick School Question to the situation on the Island, and assume its validity.

Owing to the courtesy of Dr. Laurier L. Lapierre of McGill University, the present writer has also had the opportunity of examining an unpublished typescript entitled "The Prince Edward Island School Crisis of 1877." It was prepared for the Royal Commission on Bilingualism and Biculturalism, and its main concern is with the appeals of Bishop MacIntyre, which are considered in some detail.

## APPENDIX

This chart provides a break-down, in percentages, of the relative numbers of Roman Catholics and Protestants in each electoral district. The statistics come from the Census of 1871; the names of the constituencies are derived from the most prominent centre in each district. The 'Protestant' column includes Presbyterians, Anglicans, Methodists, and Baptists; 'others' includes Quakers, Universalists, and those listed as 'not given', and 'other denominations.'

<u>District and Name</u>	<u>Total Population</u>	<u>Percentage of Roman Catholics</u>	<u>Percentage of Protestants</u>	<u>Percentage of Others</u>
First Prince Tignish	8213	67.0	32.5	0.5
Second Prince Port Hill	4730	28.8	66.5	4.7
Third Prince Egmont Bay	5338	61.0	38.0	1.0
Fourth Prince Bedeque	6459	31.1	66.0	2.9
Fifth Prince Summerside	3563	37.6	57.7	4.7
First Queens New London	9047	24.8	74.5	0.7
Second Queens Rustico <sup>1</sup>	8495	32.0	66.9	1.1
Third Queens Fort Augustus	8011	52.3	47.0	0.7
Fourth Queens Belfast	8291	25.6	73.0	1.4
Fifth Queens Charlottetown	8807	37.8	61.6	0.6
First Kings East Point	5514	81.6	17.5	0.9
Second Kings St. Peters	5189	65.2	34.7	0.1
Third Kings Cardigan	5506	52.0	47.2	0.8
Fourth Kings Murray Harbour	5803	18.7	78.3	3.0
Fifth Kings Georgetown <sup>2</sup>	1056	51.8	47.2	1.0

1 Although the Acadian district of Rustico was the most populous single community in Second Queens, it was surrounded by Protestant districts.

2 In Georgetown there were a large number of Protestant non-resident votes, which served to offset the apparent Roman Catholic majority.



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Primary sources provided almost the entire substance of this thesis. For the first half, newspapers were the most valuable source; for the latter half, government documents were more important.<sup>1</sup> There are three reasons for this: (a) the collections of journals prior to the mid-1860's are more complete than those for later years; (b) the legislative debates were reported in more detail as the years wore on; and (c) the number of editors at the centre of decision-making power within their parties — e.g. Edward Whelan and William Pope — diminished over the years. Although William L. Cotton and Henry Lawson, the leading journalists of the 1870's, were influential, they did not hold the crucial positions occupied by Whelan and Pope, and hence their published comments were of less significance. The records of the Grand Orange Lodge, the Bible Society, and the various Presbyteries were mainly of use in the early part of the thesis. The collections of private letters consulted were for the most part relevant to events in the 1870's.

Secondary sources were useful in providing general background material and monographic detail. The most valuable for this author were the books written by Francis Bolger, Andrew Clark, Frank MacKinnon, and John C. MacMillan, and the articles by William Cotton and Samuel Robertson. The volume edited by D.A. MacKinnon and A.B. Warburton contains a wealth of social and economic information.

The locations of sources are given only in cases where the author has thought it necessary.

<sup>1</sup> The obvious exception is the election of 1876, when the newspapers provided the most complete coverage of any campaign within the years covered by this thesis.

**Outline of the Bibliography:**

**Primary Sources**

**A. Governmental**

(1) Printed

(2) Unprinted

**B. Newspapers**

**C. Pamphlets and Published Lectures**

**D. Books**

**E. Records of Voluntary Associations and Churches**

**F. Private correspondence**

**Secondary Sources**

**A. Books**

(1) Contemporary

(2) Modern

**B. Articles**

**C. Theses**

**D. Miscellaneous**

(1) Pamphlets and Booklets

(2) Published Lectures

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<u>Morning News and Semi-Weekly Advertiser</u>	1845
<u>Palladium</u>	1845
<u>Islander</u> (microfilm)	1845, 1847, 1856-1871, 1873
<u>Essex's Gazette</u>	1856
<u>Examiner</u> (microfilm)	1856-1869, 1871, 1874-1880
<u>People's Journal</u>	1857-1858
<u>Protector and Christian Witness</u>	1857-1859
<u>Monitor</u>	1857-1864
<u>Rees's Weekly</u>	1859-1864
<u>Protestant and Evangelical Witness</u>	1859-1865
<u>Vindicator</u>	1862-1864
<u>Semi-Weekly Advertiser</u>	1863
<u>Herald</u>	1864, 1866-1868, 1870-1871
<u>Summerside Progress</u>	1866-1869

<u>Patriot</u>	1867-1876, 1878-1880
<u>Summerside Journal and Western Pioneer</u>	1868-1869
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<sup>3</sup> Also Y. SUPRA, p. 322.