

"Something Beyond Religion"

The Catholic Taxpayer's Association and the Ontario School Tax Question: A Study of Catholic Action in Education

by

Peter Matthew Meehan

**A thesis submitted in conformity with the
requirements for the degree of Doctor of Education
Department of Theory and Policy Studies In Education
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**Peter Matthew Meehan, Doctor of Education, 2002
Department of Theory and Policy Studies in Education
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Abstract

The by-product of internecine Christian tensions inflamed in Ontario in the post-Confederation era, the school tax question became the key economic imperative of the proponents of the province's separate schools entering the twentieth century. While it had appeared that the matter of public funding for denominational schools had been settled for the minority Protestant and Catholic populations of Quebec and Ontario in the British North America Act (1867), this settlement would prove short-lived. The growth of property ownership in corporate form, to say nothing of the creation of numerous public utilities in the later nineteenth century would serve to undo many of the gains made by separate school reformers in the preceding forty years. A new law, the toothless Assessment Act (1886) failed to direct a compulsory division of assessments between Protestants and Catholics in regard to their corporation and public utility taxes. As a result, the "school tax question" was born, and debate over educational funding in Ontario would rage on for the next one hundred years.

With the creation of the Ontario Catholic Educational Association in 1929, the Ontario bishops oversaw the development of a lay movement, capable of engaging all relevant forces, Catholic, Protestant and governmental, in the push for school tax reform. Operating on the papal mandate for the laity to participate in matters of social and economic reform through "Catholic Action", this resulted in the penultimate vehicle of lay-Catholic agitation in the province, the Catholic Taxpayer's Association.

This thesis is concerned for what was meant, to lay and religious alike, by Catholic Action in education. The Catholic Taxpayer's Association became, for a time, a powerful voice for lay people in regard to their own religio-political convictions, long before that voice was more formally recognized at the Second Vatican Council during the 1960s. Its story represents a critical chapter in the history of Ontario's two-streamed public education system.

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Dedication

For Peter, Bridget and Claire

**In memorium: Dr. Joseph E. Meehan
and Mr. Ronald R. Smith**

Introduction

Since Confederation, Ontario governments have grappled with the educational crisis of adequately providing for the dual system, public and separate, of common schools. Principally in the twentieth century, a period dominated by the axiom of the separation of church and state, this has, at times, presented the province with its ultimate political struggle. Differences in religious demography, political opinion and ethnicity have all been contributing factors over the years; and, regardless of the “gains” made by separate school supporters in recent times, these issues seem far from abating.

In the 1990s, the issue has taken a different turn – one that on the surface appears to be beneficial to the separate schools. Having operated similar and, in many cases, superior institutions with substantially less funding, they have become the prototype for a new model of fiscally conservative, highly efficient education. The 1994 Report of the Royal Commission on Learning, *For the Love of Learning*, indirectly opened the door to such an interpretation, addressing, among other concerns, the fact that “Constitutional commitments to Roman Catholics, Franco-Ontarians and Natives have not been fully lived up to in practice.”¹ Successive legislation, much of it operating on the numerous recommendations of the Royal Commission, has sought to reduce educational

¹ Monique Bégin and Gerald Caplan, Chairs, For the Love of Learning - Report of the Royal Commission on Learning, (Toronto: Queen's Printer, 1994), p. 1.

costs while at the same time purporting to increase the overall efficiency of both systems. In 1997, Bill 104, *The Fewer School Boards Act*, reduced the number of school boards, both public and separate, across the province from 129 to 72. In addition, the number of school trustees was slashed from 1,900 to 700, with salaries capped at \$5,000 per year.² Passed the same year, Bill 160, *The Education Quality Improvement Act* was perhaps the most revolutionary change ever to publicly funded education in Ontario. Eliminating the traditional practice of raising funds for education through local property assessments, the new legislation provided that financing would be derived from a common tax pool, with the government distributing money on a per student basis.

Bill 160 was particularly notable for the way it was interpreted by Roman Catholics who were concerned that their educational rights were being jeopardized in this drive for consolidation and cost saving. Strangely, Education Minister Janet Ecker's explanation of the law's purpose provided little consolation. She outlined that Bill 160 sought to undo the injustices of the previous system, which penalized students unfairly, "depending upon whether they were lucky enough to live in a rich neighbourhood or a poor neighbourhood."³ Catholics understood, however, that this had always been the case for them. Traditionally residing in poorer areas with lower property

² *The Fewer School Boards Act*, Elizabeth II, (1997).

³ *The Globe and Mail*, March 9, 2001. Bill 160 was appealed to the Supreme Court of Canada, which found in favour of the government by a vote of 9 - 0. Strangely, however, even with the implementation of Bill 160, Catholic ratepayers are still directed to declare themselves as separate school supporters, as well as making formal declarations of their Catholicity as separate school electors in the province of Ontario. See City of Toronto Regional Assessment Office, "Changes to Assessment Procedures - Appendix A," 2000.

assessments, they knew they had been penalized, but efforts to reverse their fortunes, especially in regard to finances, had more often than not resulted in disappointment. Indeed, the “constitutionally guaranteed” systems in Newfoundland and Quebec had already been eliminated, assisted by the poor feeling that accompanied revelations of scandal and increased religious apathy in these regions. Voucher programs and charter schools are among the new ideas touted in Ontario as the basis for a new model of “parochiaid” that promised to see the demands of the *British North America Act* continue in force.⁴ Historically, the phenomenon described by Canadian historians as the “school tax question” serves as the basis for understanding the full context of this educational crisis in Ontario.

The byproduct of religio-political tensions that were inflamed in the post-Confederation era, the school tax question became the key economic imperative for the proponents of Catholic education entering the twentieth century. While it appeared that the matter of public funding for denominational schools had been settled for the dominant Protestant and Catholic populations of Ontario and Quebec in the constitution, this settlement would prove short-lived. The growth of property ownership in corporate form, to say nothing of the creation of numerous public utilities in the later nineteenth century would serve to undo all of the gains made by separate school reformers in the preceding forty years. When the taxes derived from these soon became critical to the support of education,

⁴ For a detailed discussion of the phenomenon of “parochiaid” at work in the western world, see Edd Doerr and Albert J. Menendez, Church Schools and Public Money: The Politics of Parochiaid, (Buffalo: Prometheus Books, 1991).

Catholics despaired for their schools once again. A new law, the toothless *Assessment Act* of 1886, failed to direct a compulsory division of assessments between Protestants and Catholics in regard to their corporation and public utilities taxes. As a result, the "school tax question" was born, and debate over educational funding in Ontario would rage on for the next one hundred years.

The twentieth century brought further complications. Economy and thrift, perennial buzz-words in educational jargon, had, by now, taken on special meaning for the Catholic schools. Limited facilities, poor equipment and increasing debt loads, all in the face of steadily increasing demand for parochial education, were among the most obvious problems they implied (Table i.i).

Table i.i Catholic Separate Schools of Ontario

| Year | Schools | Teachers | Pupils |
|------|---------|----------|--------|
| 1890 | 259 | 569 | 34,571 |
| 1892 | 312 | 662 | 37,466 |
| 1894 | 328 | 714 | 39,762 |
| 1896 | 339 | 734 | 40,846 |
| 1898 | 345 | 744 | 41,667 |
| 1900 | 355 | 774 | 42,397 |
| 1902 | 391 | 870 | 45,964 |
| 1904 | 419 | 944 | 47,807 |
| 1906 | 443 | 1,009 | 50,760 |
| 1908 | 465 | 1,065 | 53,551 |
| 1910 | 484 | 1,149 | 57,263 |

Source: Compiled from "Report of the Minister of Education for the Province of Ontario, 1891-1911", (Toronto, King's Printer).

The cost of education per pupil between 1900–1935 saw separate schools lag continuously behind their public school counterparts, with implications that would be deleterious to their attempts to run programs, facilities and pay staff (Table i.ii). With very limited access to the taxes derived from corporations and public

utilities, separate school boards were forced across the province to meet these costs through increased mill rates. These, in turn, resulted in property taxes that proved burdensome to separate school supporters.

Table i.ii Cost of Education Per Pupil of Average Attendance

| Year | Public School (\$) | Separate School (\$) |
|------|--------------------|----------------------|
| 1900 | 17.81 | 13.86 |
| 1905 | 23.80 | 19.89 |
| 1910 | 33.90 | 30.36 |
| 1915 | 45.34 | 25.68 |
| 1920 | 59.72 | 36.42 |
| 1925 | 68.92 | 51.26 |
| 1930 | 74.07 | 46.25 |
| 1935 | 60.55 | 41.02 |

Source: "Report of The Committee on Enquiry into The Cost of Education in The Province of Ontario", King's Printer, Toronto, 1938, Appendix C, p. 76.

While periodic capital grants would allow governments to provide "band-aid" solutions to the problems posed by under-funded separate schools, they lacked permanence and did little to assuage fears that all might be lost. Provincial precedents and legal wrangling both inflamed and educated the issue of providing justice to the separate schools of Ontario, and these would constantly be invoked in successive agitations (involving both the clergy and the laity) who strove for this goal.

The Ontario bishops showed themselves to be steadfast and flexible in a period that presented them with seemingly insurmountable obstacles. During the Confederation era they kept separate school demands on the table when nation building and the need for political compromise relegated minority rights to the background. By the new century, working through their Catholic Educational Council, the bishops waged private and public campaigns with Ontario

governments over educational issues that were not limited to the school tax question. The right to establish publicly funded secondary schools was, like the corporation tax problem, considered to be a natural implication of the constitutional agreement. Moving cautiously and with strategic precision, they used all of the clout at their disposal to agitate for reform, only to be rewarded by the legal test that would find against their claim but redefine their purpose: *The Tiny Township Case*. Contrary to Protestant charges that the matter of the separate schools had now been settled “once and for all,” the Catholic agitation quickly mobilized itself to embark on the appointed goal: resolution of the school tax question.

The campaign that had been laying in wait during the period leading up to *The Tiny Township Decision* would confront new realities in its aftermath.⁵ Anglophone Catholics took the lead in the new movement, attempting to bring the faithful of both language groups in the province into unison over the school tax question. In dealings with their Franco-Ontarian counterparts, notably the association canadienne-française d’éducation d’ontario (ACFEO) they adopted the posture of *primus inter pares*, casting clouds of suspicion over such future liaisons. Only the deft political touch of Toronto Archbishop Neil McNeil allowed the Catholic campaign to maintain its truly representative character. Here the

⁵ While Catholic complacency was a major factor contributing to the downfall of the movements led by the CEC and the SSAAC, there can be little doubt as to the role of the Orange Lodge in generating political animosity in Ontario towards the separate schools. Consider this passage taken from a 1931 edition of *The Canadian Protestant*: “If any change is ever made in the school laws of Ontario, it should be in the opposite direction to that demanded by the Bishops. The idea of sectarian education is growing more unpopular in the world every day. Even in Spain the schools are being removed from the control of the Roman Catholic Church. Separate schools

Orange Lodge, counting among its brethren Premier G. Howard Ferguson and many of the leading politicians in the province, was the outspoken voice in opposition. Once united, however, Catholic advocacy would undergo a metamorphosis designed to broaden its appeal and engage new partners.

Lay people, the focus of this effort, had steadily been gaining profile in the work of the CEC throughout the 1920s. The subsequent failure of their fledgling *Separate Schools Assessment Amendment Committee* to generate interest among separate school board officials and trustees in the school tax question between 1928 and 1931 finally convinced the Ontario hierarchy of the enormous obstacle to be overcome. With the creation of the short-lived Ontario Catholic Educational Association in 1929, the bishops retreated to the more familiar political backrooms where they oversaw the creation of a final lay movement capable of engaging all relevant forces, Catholic, Protestant and Governmental, in the push for school tax reform. Operating on the papally-mandated need for "Catholic Action", this resulted in the penultimate vehicle of lay-Catholic agitation in the province, the Catholic Taxpayer's Association.

Under the direction of General Chairman Martin J. Quinn, the CTA would steer lay Catholics towards a series of confrontations with Liberals and Conservatives in the province in the hope of achieving a fair division of the taxes derived from corporations and public utilities for the support of their elementary schools. Quinn saw the movement as the natural extension of the

are going out of style, because they have proven to be a failure in every country or district in which they have been tried." See *The Canadian Protestant*, June, 1931, vol. 3, no. 2.

responsibilities passed on to the laity by the church under Canon 1113:

Parents are under grave obligation to see to the religious and moral education of their children as well as to their physical and civic training as far as they can, and moreover for their temporal well being.⁶

At the same time, Quinn understood the need for a more expansive commitment from Catholics, "something beyond religion and morals," obligating them to expose the injustices they faced as a religious minority in Ontario, and inculcate in their children "the courage necessary to defend their opinions in any company."⁷

This thesis is concerned with the question of what was meant, to laymen and religious alike, by Catholic Action, specifically focusing on its application to the school tax question in Ontario. In the Archdiocese of Toronto, the headquarters of the CTA, this meaning was inspired by the pioneering work of Redemptorist priest George T. Daly. His work, Catholic Problems in Western Canada, released in 1921, suggested Catholic Action as the solution to a broad range of reforms, including work among new Canadians, Church expansion, development of the religious press and the need for a greater educational presence in terms of separate schools and Catholic universities. Referring to these detailed objectives, Paul Laverdure indicates they "mirrored the thinking of the Catholic hierarchy in Toronto."⁸ Soon stationed in Toronto, Daly focused his

⁶ T. Lincoln Bouscaren sj and Adam C. Ellis sj, Canon Law: A Text and Commentary, (Milwaukee: Bruce Publishing Company, 1957), p. 542. See also Martin J. Quinn, The Frustration of Lay Catholic Effort, (Toronto: The Catholic Primary School, 1945), p.6.

⁷ Quinn, Frustration, p. 6.

⁸ Paul Laverdure, Redemption and Renewal: The Redemptorists of English Canada, 1834-1994, (Toronto: Dundurn Press, 1996), p. 132.

attention on establishing a general framework for the successful operation of the movement in Canada at large. He cast his net to a greater audience in 1927 with the release of Catholic Action: Church and Country, in which he referred to Catholic Action as "...the very expression of life in the Church."⁹ Published under McNeil's imprimatur, the book was distributed throughout Ontario, and reflected his desire to motivate the laity to respond to the host of social and economic crises that were worsening in the years leading to the Great Depression. Here, Daly listed the three general principles that he deemed critical to the development of successful Catholic Action. They included: 1. authoritarian leadership 2. the adoption of agreed upon, uniform policies as the objects to be pursued and 3. a strong organization in order to put these into action.¹⁰ This study seeks to unfold the importance of these principles and the questions they raise for the CTA, the first movement of Catholic Action in education. It is concerned for the development of a "lay spirit" at a time in Ontario history when Catholics were a minority in the province, and for when the meaning of the Church's "social encyclicals" in respect to lay activism was being defined.

Certainly the Church expected lay people, usually men, to step forward in leadership roles to the call for Catholic Action. Pope Leo XIII's 1891 encyclical, *Rerum Novarum* - "Of New Things," was the first to address a variety of ills raised during the late nineteenth century, a period Eamon Duffy has called "the age of intransigence." These included poverty, fair wages, capitalism, socialism,

⁹ George Thomas Daly, CSsR, Catholic Action: Church and Country, (Toronto, The McMillan Company of Canada at St. Martin's House, 1927), p. 163. See also Daly, Catholic Problems in Western Canada, (Toronto: St. Martin's House, 1921).

just working conditions and labour relations, and obligated the Church to intervene directly in order to establish a general sense of justice.¹¹ Pius XI (1922 - 1939) was determined to build upon this foundation, more specifically defining Catholic Action as "...the participation of the laity in the hierarchical apostolate of the Church." In another discourse, however, he demanded "all Catholic Action ought to subordinate itself to the Hierarchy, a subordination which is expressed by submission and filial obedience to the Holy Father and the Bishops, and through them, to Jesus."¹² How was authoritarian leadership from among the laity to take place for effective Catholic Action in education under such ranging definition? What was its role in empowering the laity within the broader social mission of the Catholicism? How would lay leaders be able to direct social action initiatives in Church that had traditionally called on them to "pray and pay...mostly pay"?¹³

Daly's notion that Catholic Action had to be supported by a clearly defined

¹⁰ Daly, Catholic Action: Church and Country, p. 100.

¹¹ Eamon Duffy, Saints and Sinners: A History of the Popes, (Connecticut: Yale University Press, 1997), p. 248.

¹² Pius XI, Discourses from December 23, 1922 and September 14, 1925. Quoted from F. Lelotte, sj, Fundamental Principles of Catholic Action, (Montreal: Fides Publishers, 1944).

¹³ Elizabeth Louise Sharum, A Strange Fire Burning: A History of the Friendship House Movement, (Ph.D. diss., Texas Tech University, 1977), p. 5. Certainly the new understanding of the Church as consisting of "the people of God" that would develop in the wake of the Second Vatican Council, or the lay commissions put to task by Pope Paul VI before the release of *Humane Vitae* in 1968 were manifestations of the role of the laity in the life and mission of the Church to come. See Pope Paul VI, *Lumen Gentium*, (1964) and Pope Paul VI, *Humanae Vitae*, (1968).

plan of action would be critical for the CTA. Addressing the problem more simply, he noted

When a ship puts out to sea, she must know the port to make, if she does not wish to roam at large aimlessly. So, on the immense ocean of Catholic Action, where the very vastness of its shore, the cross-current of conflicting opinion, the ebb and flow of its tides have baffled the most stout-hearted pilots, it would be folly to launch out without being sure of the route to follow and the harbour to make.¹⁴

Certainly Rome was responsible for offering some of this direction. Released in 1931, Pius XI's encyclical, *Quadragesimo Anno*, spoke even more clearly to the need for the laity to take part in the social mission of the Church.

Commemorating the fortieth anniversary of *Rerum Novarum*, it called on Catholic Action movements to use "extraordinary zeal" in the solution to problems of a social and economic nature.¹⁵ In Ontario, this was interpreted broadly. *The Canadian Freeman*, a Catholic weekly published in Kingston Ontario, declared

Wherever and whenever moral problems arise, wherever and whenever questions of good and evil, of God's law and the human law of right and wrong arise, here Catholic Action should be ready to step in and point out with clarity and determinism the path of truth, justice and charity.¹⁶

Rooted in the message of the papal encyclicals, Catholic Action was clearly a call to social involvement, but could the laity be brought successfully on-side, putting aside partisan differences, in a cause that demanded they place Church before State?¹⁷

¹⁴ Daly, *Catholic Action: Church and Country*, pp. 107-108.

¹⁵ Pope Pius XI, *Quadragesimo Anno*, (1931).

¹⁶ *The Canadian Freeman*, May 21, 1931

Catholic Action's role in the school tax question during the critical period of the 1930s would be shaped by a sense of moral imperative. In Canada, the linking of politics and religion found surer footing in the 1930s, where the Great Depression enabled the social gospel movement to give birth to new parties blending evangelical Protestant zeal with the drive for renewed social and economic order.¹⁸ Vexed by Protestant interpretations of the Confederation agreement in Ontario that refused to bring the province's school tax laws up to date with the nature of Canada's corporate economy, the CTA followed this lead, moving ahead in firm pursuit of remedial legislation. Direct involvement in politics, however, was bound to be problematic.

Finally, the need for strong organization would be critical to a movement that proposed to place minority interests against a broader backdrop of Protestant voters and secular interests. Daly suggested that issues of culture and language also posed an organizational challenge to Catholic Action in Canada, saying it would be to court "inevitable failure" to launch it and to ignore the cultural duality of English and French.¹⁹ While a substantially smaller proportion of the population, Franco-Ontarians were overwhelmingly Roman

¹⁷ Shane P. Carmody, "Catharine de Hueck and Catholic Social Action in Toronto, 1930-1936," unpublished graduate research paper, Massey College, University of Toronto, May, 1985, pp. 33-34.

¹⁸ John Moir has described the Social Gospel Movement as "the general desire for the application of the Gospel to the social needs of men – the protection of the unprotected, by reorganization of the social order where necessary." He refers to it as "a way of thinking rather than an organization," and it had particular success with the Methodist and Anglican Churches. Like Catholic Action, the Social Gospel Movement began on the fringes of the political world of Canada in the 1880s, but achieved its greatest fame in the formation of the Cooperative Commonwealth Federation in 1932. See John S. Moir, "Religion" in J.M.S. Careless and R. Craig Brown eds., The Canadians: 1867-1967, (Toronto: The MacMillan Company of Canada Limited, 1967).

Catholic and possessed of an equally rich history of advocacy on behalf of their schools. Could they be successfully united with their anglophone brethren in support of a plan that proposed to serve all Catholics? How could the CTA succeed where others, including the hierarchy working independently and in conjunction with laymen, had failed before? What would be the organizational challenges to Catholic Action in education? Would it be possible to mobilize sufficient support from both Catholics and Protestants to bring the CTA's goals to fruition?

¹⁹ Daly, Catholic Action: Church and Country, p. 123.

Chapter One
Seeking To Be "Untrammelled By Unjust Laws"
Background to the School Tax Question

The myriad of issues and conflicting opinions that has surrounded the notion of state-supported denominational schools, first in Upper Canada and later in the Province of Ontario, has made them a central feature of the historical landscape for nearly two hundred years. In this chapter I will offer a detailed background to the main issue of this thesis, the school tax question, and its impact, especially in post-Confederation Canada, in stirring division between the supporters of public and separate schools. Grounded in this understanding, I will then proceed to develop the evolution of Catholic responses to this key funding dilemma, beginning with the varied activities of the traditional advocates of the separate schools, the Ontario bishops. The successes and failures of the hierarchy serve as the ultimate foundation for my main concern, namely the role of the laity in establishing a sense of ownership over "their" schools. I will start here by examining the gradual transformation that saw the hierarchy move from its traditionally authoritarian control of the separate schools in the 19th century to a series of cooperative ventures with the laity in an effort to bring resolution to the school tax question. What emerges, especially during the tenure of Neil McNeil as Archbishop of Toronto (1912-1934), is a sense among at least some members of the hierarchy, for the potential of lay initiative in the realm of separate school

advocacy. An emerging political consciousness among the laity and the willingness to pursue new options by the bishops was the biproduct of a series of defeats for the separate schools in the 1920s, with results that would prove critical to the shape that Catholic Action would take, henceforth, in Ontario.

The "School Tax Question" in Ontario

The school tax question finds its roots in the pooling of migrants of various creeds and nationalities in late eighteenth and early nineteenth century Ontario. A backwater province when inherited by the British following their conquest of New France, it soon gathered the Loyalist population that would give it its distinctively Anglo-Protestant flavour. Disparate elements of French Canadian, Irish and Scottish settlers assembling here, though, would soon establish a formidable minority Catholic presence.¹ As the populations, both Protestant and Catholic, grew, so did the demand in pre-industrial Ontario for a state-sponsored system of education. In 1816, 1820 and 1824 the Legislature of Upper Canada passed statutes that would allow for sums of money to be distributed to support

¹ Jesuits from Quebec had established the first Catholic outpost of "Assumption" at Sandwich, in present day Windsor, in 1777. See Michael Power, Assumption College: Years of Uncertainty, 1855-1870, vol. 1, (Windsor: Assumption University, 1987). The Irish settlement in Upper Canada was largely completed by the famine years of the 1840s, and would provide substantial growth to its Catholic population, doubling to some 40,000 between 1820 and 1847. See Bruce S. Elliott, "Regionalized Migration and Settlement Patterns of the Irish in Upper Canada" in Robert O'Driscoll and Lorna Reynolds, eds., The Untold Story: The Irish in Canada, vol. I (Toronto: Celtic Arts of Canada, 1988) and John S. Moir, Church and Society: Documents on the Religious and Social History of the Roman Catholic Archdiocese of Toronto, (Toronto: Archdiocese of Toronto, 1991), p. 15. Also see Cecil Houston and William Smyth, Irish Emigration and Canadian Settlement: Patterns, Links and Letters, (Toronto: University of Toronto Press, 1990). For the Scottish Catholics of Upper Canada, see Marianne Maclean, The People of Glengarry: Highlanders in Transition, 1745-1820, (Montreal and Kingston: McGill-Queens University Press, 1991).

the various schools that were taking shape.² No small issue was made of denominational education here, as religious instruction was generally regarded as a fundamental component of a child's formation.³ *The Common School Act* of 1824 enshrined these sentiments in statute, recognizing the demand for the teaching of religious knowledge in the schools with an annual grant of 150 pounds accorded for "...the purchasing of books and tracts designed to afford moral and religious instruction, to be distributed among the several Boards of Education throughout the Provinces."⁴ Regulations in this early period were few and local authority held sway; the teachers hired, subjects taught and texts used were all under the control of each school's Board of Trustees.

The next significant educational legislation was precipitated by the tensions in both Upper and Lower Canada that led to *The Act of Union* in 1841. It would, however, directly benefit the Catholics of what became Canada West in a phenomenon that saw the minority's legal rights in the realm of public education buoyed by the more tolerant Catholic majority in Quebec.⁵ A joint

² The school system in Ontario was in its infancy; the only means of support for primary schools being through voluntary private contributions and government grants. See John S. Moir, Church and State in Canada West: Three Studies in the Relation of Denominationalism and Nationalism, (Toronto: University of Toronto Press, 1959), pp. 128-130.

³ Nathanael Burwash, Egerton Ryerson, (Toronto: George N. Morang and Company, 1903), p. 217. Burwash notes that Anglicans, Presbyterians, Methodists and Puritans joined Catholics in their demand for denominational schooling. See also Franklin A. Walker, Catholic Education and Politics in Upper Canada, vol. I, (Toronto: J.M. Dent and Sons, 1955), pp. 38-40.

⁴ *The Common School Act*, (1824), 56 George III, Chapter XXXVI.

⁵ This was a phenomenon that would repeat itself throughout the 19th century – and that would be revisited in the debates leading to *The Scott Act* of 1863. According to George Brown, it was a matter of the minority in Quebec holding the rest of Canada hostage: "It was only part of a malign pattern of politics that imposed high tariffs, compensation for French seigneurial rights, ruinous Grand Trunk Railway bills and separate school measures – and always the reign of extravagance and venality – on an Upper Canadian majority in complete defiance of its will. The

committee of twenty-three was selected from Upper and Lower Canada to study the question of providing for separate schools in Ontario and Quebec. The Legislature received many petitions dealing with the subject of religious education and denominational schools, the most common request being for the use of the Bible as a text in schools. Evaluating the period was no less an authority than former Deputy Superintendent of Education George Hodgins. Willing to relieve Catholics of the sole responsibility in the matter of the creation of a rival system, he acknowledged that "the principle of separate schools was clearly laid down in the petition of the Right Rev. John Strachan, Church of England, Bishop of Toronto, and his clergy, which was presented to the Legislature of the United Canada at its first session."⁶ The realization of that principle was initiated on September 18, 1841 with passage of *The Education Act*. The law had the effect of providing the same rights for the Catholic minority in Ontario as were enjoyed by the Protestant minority in Quebec. Section 2 allowed that separate schools might be established under certain conditions by religious minorities, whether Protestant or Catholic, who dissented from the school of any locality and wanted a school of their own. These schools would

whole thing was insufferable." See J.M.S. Careless, Brown of the Globe, vol. 1, The Voice of Upper Canada – 1818-1859, (Toronto: The Macmillan Company of Canada Limited, 1959), p. 9.

⁶ George J. Hodgins, The Legislation and History of Separate Schools in Upper Canada (Toronto: 1897), p. 11. See also George J. Hodgins, Documentary History of Education in Upper Canada from the Passing of the Constitutional Act of 1791 to the Close of the Reverend Doctor Ryerson's Administration of the Educational Department in 1876, vol. 4, p. 20. Of the forty-two petitions presented, 39 were from Protestants, and of the 23 members of the Committee appointed to draw up the *Act of Union* in 1841, which laid the foundation for separate schools, sixteen were Protestants and seven were Catholics. See Martin J. Quinn, "The Case for Ontario Separate Schools," (Toronto: 1937), p. 8. They agreed to support the Protestant schools of Quebec and then, for the sake of consistency and uniformity, allowed that the same amendment would have to apply also to the mostly Catholic denominational schools of Ontario. See Moir, Church and State in Canada West, pp. 133-134.

share in the provincial grants for education and would be subject to the same regulations that governed the ordinary common schools. Accordingly, Catholics and Protestants had separate jurisdictions over their respective schools.⁷ In practical terms, new common or “public” schools could be created, numbers warranting, that would be denominational in character. This legality, however, did not guarantee that they would be immediately founded in Ontario.

Soon after its acceptance by the legislature, it became increasingly evident that *The Education Act* could not meet the conditions, especially in regard to race and religion, peculiar to each province. A series of conflicts over funding arose that would plague the financial existence of denominational schools into the twentieth century, making all attempted legislation on their behalf for the next twenty years abortive.⁸ In 1843, Canada West repealed the old law, replacing it with new provisions for a system of common schools, “separated” at parental request, on the basis of religion. The principle of separate schools was acknowledged and the right to establish them recognized; but certain complications seriously impaired the operation of the principle and the exercise of the right. The law had the effect of making separate schools answerable to all provincial regulations, yet did not allow them to benefit from any of the municipal

⁷ *An Act to Make Further Provision for the Establishment and Maintenance of Common Schools Throughout the Province*, (1841), 4 and 5 Victoria, Chapter 18.

⁸ During this period when a system of education was being shaped, it was practically impossible to agree upon an arrangement acceptable to all parties, sects and classes while still assuring the common belief in the need to unite religious instruction and education. See “The Bishops and the Politicians,” (pp. 82-112) and “Separate School Amendments and No Popery,” (pp. 113-125) in Franklin A. Walker, *Catholic Education and Politics in Ontario*, vol. II, (Toronto: Catholic Educational Foundation of Ontario, 1985). See also Moir, *Church and State in Canada*

tax assessments. The new Act made separate Catholic schools subject to the same educational regulations and inspection practices as common schools. They continued to share in the educational grants distributed by the legislature, but they received none of the funds raised for public schools by local taxation. The supporters of public schools, nevertheless, benefited from all tax assessments imposed by the local municipality.⁹ The double burden placed upon Catholics would prove troubling, especially in light of the fact that a similar situation was not imposed on the Protestant minority in Quebec.¹⁰ With no relief in sight, still an even greater threat to the separate schools was about to manifest itself.

It became increasingly clear by the 1840s that the unanimity of opinion surrounding the conjoined notions of religion and education had, for some, lost its appeal. The influence of Methodist clergyman Egerton Ryerson, was critical to this change of heart. Appointed Superintendent of Education for Ontario in 1845, Ryerson would dominate this portfolio for the next thirty-two years. His biographer, Nathanael Burwash, contends that the legislation Ryerson would inspire, far removed from the conjoined church-school model seen in the Act of 1841, was reflective of a general trend. The “modern spirit” of separating church

West, “Religion and Elementary Education,” pp. 128-149 and Careless, Brown of the Globe, vol. I, p. 119.

⁹ *An Act for the Establishment and Maintenance of Common Schools in Upper Canada*, December 9, 1843, quoted in N.L. Bethune and Robert T. Dixon “A Documentary History of Separate Schools in Ontario, I,” (Toronto: Ontario English Catholic Teachers Association, 1975).

¹⁰ Quebec, with its minority Protestant population, maintained the original provisions of the Act of 1841. See Moir, Church and State in Canada West, pp. 153-155.

and school into separate realms dominated, he contends, as this passage from one of Ryerson's yearly reports suggests:

There are many religious persons who think the day school, like the farm fields, the place for secular work, the religious exercises of the workers being performed in the one case as in the other in the household and not in the field of labour.¹¹

Ryerson's *Common School Act* of 1850 raised the number of ratepayers required to apply for the formation of a separate school from ten to twelve. Under this legislation, Catholics found it difficult to secure the establishment of their schools. Catholics who lived in different areas were prevented from uniting in order to secure the necessary twelve positions. Moreover, applications for separate schools were frequently defeated because the officials who received them, as well as Ryerson himself, were bitterly opposed to their existence. At the time, he justified his position on the basis of the fact that since their formal recognition, fifty separate schools had been created. Yet by 1852 there were only eighteen left, three of which were Protestant, two located in mainly French regions and another two being Negro schools in Kent-Essex. This left a substantially reduced thirteen Catholic separate schools.¹² Increasingly vocal Protestant opposition

¹¹ Burwash, *Egerton Ryerson*, p. 217. More realistically, John Moir sees the abrupt shift in educational policy as the by-product of a bitter inter-denominational rivalry, provoked at least partly by the strong advocacy of Toronto's Catholic prelate, Archbishop de Charbonnel: "For de Charbonnel and many, if not all Roman Catholics, separate schools were no longer a means of protection from insult – they were an inalienable and sacred right which must be obtained to satisfy the conscientious convictions of their religious belief. The appeal was to an authority higher than that possessed by man-made governments or institutions. For Ryerson these new claims of religious superiority posed a threat, not merely to his hard won educational system, but also to that civil and religious equality for which he had fought in the past years." See Moir, *Church and State in Canada West*, p. 152.

¹² Burwash, *Egerton Ryerson*, p. 219. It should be noted though that the greatest growth in demand for Catholic separate schools would take place after Confederation. See Moir, *Church and State in Canada West*, p. 86 and W. L. Scott, "Sir Richard Scott, K.C.", *The Canadian*

resulted in a political climate that J.M.S. Careless acknowledges was "... fearful of the strength of Upper Canadian antagonism, and would not sponsor further Roman Catholic demands."¹³ Eventually, separate school trustees were empowered as corporations, able to assess their own rates; *The Taché Act* of 1855 went a short distance further by exempting separate school supporters from paying the public school rate.¹⁴ The real turning point would come with the passage of new legislation in 1863, the terms of which would be a bone of contention between Protestants and Catholics in Ontario for the next seventy-five years.

The law in question was *The Scott Act*, authored by Sir Richard Scott, the Member of the Legislative Assembly from Ottawa. The Act declared its main purpose as to "bring the law respecting separate schools more into harmony with the law respecting common schools," and made it clear that Catholics could have their own schools, and support them by sharing in all provincial grants for education by taxing themselves. It exempted separate school supporters from the payment of all taxes for the common schools, yet reiterated that they were still subject to the same rules and regulations regarding issues such as

Catholic Historical Association, Report, 1936-37, p. 51. A small concession saw an amendment in 1852 to *The Common School Act*, extending separate school privileges to allow supporters to be exempt from public school support if they were capable of raising a subscription fund equal to the public school assessment. It is important to note, however, that they became liable for the public school rates again if they failed to give to the separate schools an amount equal to the public school rate. See Hodgins, Legislation and History of Separate Schools, pp. 69-70.

¹³ George Brown's motion to abolish separate schools altogether had failed in June of 1856, yet, according to Careless, the matter would be relegated to the back burner until being resurrected by Richard Scott in the 1860s. See Careless, Brown of the Globe vol. 1, p. 227.

¹⁴ The subscriber was responsible for notifying the Clerk for the Municipality in writing of their status as a Roman Catholic, and their desire to be a separate school supporter. See Hodgins, Legislation and History of Separate Schools, pp. 95-99.

supervision and inspection. It made three key provisions: (a) that the religious minority, Catholic or Protestant, would have the right to establish separate schools; (b) that they were to be assessed for the support of their schools and (c) that they were to be exempted from taxation for the support of the common schools.¹⁵ It was passed in 1863 under the curious title of *“An Act to Restore to Roman Catholics in Upper Canada Certain Rights in Respect to Separate Schools.”*¹⁶ The vote was 74-30, with the Upper Canadian legislators actually rejecting the bill 31-22.¹⁷ Final passage was critical for the way *The Scott Act* was perceived by the two aggressively campaigning factions. For Catholics it was progress, more than had been achieved up to this time by way of formal legislation, but clearly not all that had been sought. For Protestants it represented a final solution to the thorny issue that served to impede the progress of “true” public education.¹⁸ Notwithstanding the sectarian rivalries that were inflamed over *The Scott Act*, it was accepted as the basis for Section 93 of

¹⁵ *An Act to Restore to Roman Catholics in Upper Canada Certain Rights in Respect to Separate Schools*, (1863), 26 Victoria, Chapter 5.

¹⁶ Scott had introduced Private Members Bills dealing with fair play for separate schools in each of the consecutive sessions of the Legislature from 1860 to 1862, but the opposition was too vigorous, causing them to be shelved before any serious action could be taken. See Scott, “Sir Richard Scott, K.C.,” p. 53.

¹⁷ Scott, “Sir Richard Scott, K.C.,” p. 53. See also Careless, *Brown of the Globe*, vol. 1, p. 89.

¹⁸ Consider Careless’ perspective on the situation in Ontario at this time in light of the comparative gains made by Protestant Separate schools in Quebec after Confederation: “It could be argued as usual (and with the usual failure to convince) that there was no valid comparison between the Roman Catholic denominational schools of the eastern majority and the non-denominational state schools of the west. It could be argued also that the Upper Canada separate school law had been remade only three years before as an ostensibly final settlement. Yet it was no less understandable that western Catholics would contend that if minority school rights were going to be changed before Confederation for Lower Canada, that they should be changed for Upper Canada as well.” See Careless, *Brown of the Globe*, p. 233.

The British North America Act that was in the process of being negotiated at conferences in Charlottetown and Quebec.¹⁹ Separate schools had a surer footing in Ontario than ever before, supported now by certain inviolable constitutional guarantees. The victory, however, would be short lived. Ontario's economy, in the process of a corporate metamorphosis, would prove the undoing to this new security, and serve as the springboard to launch the most critical funding issue yet: the school tax question.

Economic conditions changed dramatically in Ontario almost immediately after Confederation, meaning that *The Scott Act* would never fully enjoy its intended force of action. Private property assessments had been the dominant form of tax support for publicly operated education in the "united Canadas."²⁰ The rise of joint stock companies that accompanied the burgeoning Canadian economy would have a profound impact for Catholic and non-Catholic shareholders. As well, public utilities were created, in which, again, all citizens had a vested interest. Under existing law, taxes derived from such companies for educational purposes went only to support the public schools. As their

¹⁹ Debate on the finality of "concessions" to the Catholic minority in Ontario with respect to education would follow this topic into the twentieth century. *The Canadian Freeman* declared *The Scott Act* only an "installment" with regard to the demands being made by Catholics. Careless, acknowledging the fierce opposition of George Brown to Scott's bill, explains his opposition and that of his fellow religionists "...precisely because they did not believe that these would be final adjustments, but merely further nibbles at Canada's public school system, just as previous "final" claims had been." See *The Canadian Freeman*, March 9, 1863, and Careless, *Brown of the Globe*, vol. 1, p. 89.

²⁰ Some corporations were in existence in 1863, such as chartered banks, railways, etc., yet the framers of *The Scott Act* could not have foreseen the dramatic impact that the growth of such corporations and the rise of joint stock companies would have on the tax-supported status of separate schools. See Quinn, Quinn, "Some Pertinent Facts – With Notes, Comments and Quotations for the Use of Those Who Desire to Understand and Discuss, Publicly or Privately, the Situation of THE SEPARATE SCHOOLS OF ONTARIO," (Toronto: The Catholic Taxpayer's

number increased, the proportion of these companies as a percentage of tax support for public education shifted substantially. The money invested here by Catholics naturally increased, lessening the influence of their property tax assessments in the overall funding scheme for separate schools. Very quickly the gains made through passage of *The Scott Act* were reversed, and it was not long before Catholic schools were feeling the negative impact of a reduced tax base.

Contrasting this experience in Ontario, the privileges and rights of the Protestant minority in Quebec were being extended year by year. In the first session of the Quebec legislature after Confederation, the question of the division of school taxes paid by companies was debated. The resulting legislation, passed in 1869, directed that taxes paid by companies were to be divided between the two constitutionally guaranteed “common schools,” public and separate, according to the number of children in attendance at each. Here the school population was approximately 75% Catholic and 25% Protestant, yet corporations paid roughly half of the tax support to administer public education.²¹ Quebec had almost immediately brought its provincial educational law up to date with the changing nature of the corporate economy that was taking root in Canada, and benefited both public and separate schools as a result.

Association, July, 1932), pp. 9-10, CTAP, File 5, Series 46, MSSBA. See also George M. Weir, The Separate School Question in Canada, (Toronto: The Ryerson Press, 1934), pp. 84-86.

²¹ A.E. Corrigan, “The Separate Schools of Ontario,” (Ottawa: The Capitol Life Assurance Company of Canada, April, 1933). See also Parish Circular, April, 1933, Catholic Taxpayer’s Association Papers (hereafter CTAP), Series 46, File 3, Metropolitan Separate School Board Archives (hereafter MSSBA).

It took nearly twenty years of appeals for the Ontario legislature to acknowledge the impermanence of *The Scott Act*. *The Assessment Act* of 1886 introduced the principle of dividing corporation taxes between public and separate schools on the basis that the investment of Catholics in such companies was to be considered as their property.²² The Act was permissive, outlining that corporations or companies *may* give to separate schools a portion of their taxes paid for educational purposes.²³ Originally the law worked quite well, as religious determination was relatively simple in an era of limited shareholders and small companies. However, when the companies grew in size and increased in number, the law failed in its purpose. By directing no obligation on the part of corporations to determine the religious affiliations of their ownership, the law was flawed in several respects. For example, the directors and not the investors, whose “property” bore the burden of the actual school tax, exercised discretion as to the allocation of tax monies. Further, the amount paid was not to be in excess of the proportion of stock held in the company by Catholic shareholders. And even where all the directors of a corporation were desirous of making the allocation to a separate school, they would usually be prevented from doing so, as there was no practical way of obtaining the

²² A proposed amendment to *The Common School Act* in 1859 would have specified financial support from companies for educational purposes. Little attention was paid to it due to the limited significance at the time of corporations and what proved to be - as true in 1886 as it would be for the work of the Catholic Taxpayer's Association in 1936 - the difficulty of determining the number of Catholic shareholders willing to move their taxes to the support of the separate schools. See Robert T Dixon, *The Ontario Separate School System and Section 93 of the British North America Act*, (Ed.D. diss., University of Toronto, 1976), pp. 16-17.

²³ Corporate directors could require a certain portion of their taxes paid for school purposes to be applied to the support of separate schools. See *An Act Respecting Separate Schools*, (1886) 49 Victoria, Chapter 46, Section 73, subsections 1 and 2.

necessary information regarding religious affiliation from stockholders. Further still, even if a corporate directorate were friendly to the idea of such an assessment, the only viable means of accessing information with regard to the religious affiliation of stockholders would be to send out a yearly questionnaire. This would clearly only be possible in the case of those whose names were listed with the company. There would be no way of accessing the names of the owners of the large numbers of stocks held in broker's names. Apart from this, the problem of "beneficial ownership" presented yet another complication. Here stock recorded in an individual's name may have changed hands several times before such a questionnaire would have reached the owner of record.²⁴ If these requirements were not fulfilled, all of the school taxes of large corporations such as the Canadian Pacific Railway, the Canadian National Railway or the Canadian General Electric Company, whose stock was distributed all over the world, would go by default to the support of the public schools.²⁵

Continued westward expansion meant that the original Confederation provinces would not be the only ones to grapple with this issue. Statutes from western Canada in the early part of the twentieth century also dealt with separate school access to corporate and public utility taxes. In Alberta and Saskatchewan, the rights of the Catholic minority were preserved from the

²⁴ J. R. Darrah, Roman Catholic Separate School Support: A Resource for the Financial Structuring of Separate Schools in General, (Toronto: Municipal World Limited, 1963).

²⁵ Public utilities were in a somewhat different class. Here all citizens had the same interest. They shared equally the cost of development and maintenance, and were forced to assume equally all losses when they occurred. Still, no funds for educational purposes paid by such public services were made available to the separate schools.

original *Ordinances of the Northwest*.²⁶ Briefly, Sections 9 and 60 of *The Revised Statutes of Alberta* provided that a company might direct a part of its land and, in the case of village and town school districts, part of its personal property, to be assessed for separate school purposes.²⁷ In 1910 clauses were added to secure a just division of school taxes between public and separate schools in the event of a company failing to give notice of division of its assessment.²⁸ Fortuity was also at work here, as a spirit of general religious toleration prevailed in regard to the allocation of corporation and public utility assessments.²⁹

²⁶ Chapter 29 (*The School Ordinance*) and Chapter 30 (*The School Assessment Ordinance*) of *The Original Ordinances of the Northwest*, 1901.

²⁷ Provided that part to be in the same proportion to all of the property of the company assessable within the district as the portion of the shares or the stock of the company held by Catholics bear to the whole amount of the shares or the stock of the company. See Chapters 51 and 52 of *The Revised Statutes of Alberta*, 1922. *The Saskatchewan Act* followed the same wording as *The Alberta Act*, with the ordinances covering the whole territory out of which the two provinces were formed – with few minor incidental changes. See Weir, *Separate School Law in the Prairie Provinces*, pp. 50-77.

²⁸ In such cases the separate school taxes payable by the company were now to be divided between the public and separate school districts in proportion to the total assessment of individuals for both public and separate school purposes. See Chapters 51 and 52 of *The Revised Statutes of Alberta*.

²⁹ Lest there be confusion about the practical application of the similar laws in Alberta and Saskatchewan, it should be pointed out that the experiences of the two provinces were somewhat different. Separate school and language issues periodically inflamed political passions in Saskatchewan in the first part of the twentieth century, while Alberta maintained a more tolerant atmosphere. The fluidity of the Alberta law was attractive to Ontario, and active correspondence was carried on between the two provinces. In a letter to the Secretary of the Toronto Separate School Board from the Secretary Treasurer of the Edmonton Separate School Board, the writer indicates that: "In practice this (proof of religious affiliation) is not always insisted on, and in Edmonton, many companies pay to our schools a percentage of the taxes equivalent to the percentage which the separate school population is of the total population. This is not ordinarily questioned by anyone." The representatives of the Catholic Taxpayer's Association would seriously consider what they would call the "Alberta/Saskatchewan Plans" in preparing draft amendments to *The Assessment Act* for both the Henry and Hepburn governments. See Weir, *The Separate School Question in Canada*, p. 96, and A.C. O'Brien to E.F. Henderson, March 16, 1936 CTAP, Series 46, File 8, MSSBA.

Ontario provided only a token response to the advances made in the west, and the result would, in essence, continue the effect of *The Assessment Act*. The revised *Separate Schools Act* of 1920 was substantially the same as the Alberta and Saskatchewan laws prior to the amendments of 1910, with the exception that there was no penalty for directing a greater amount of a company's taxes to the separate school than was proportionate to the amount of shares or stock held by Catholics. Ontario governments were seemingly caught between the Scylla of logically seeing that Catholics should have a share of the corporate taxes and the Charybdis of majority opinion that would not consider further "concessions" on the issue.

Legal wrangling over the allocation of tax assessments in other provinces did not forestall the growing issue that the separate schools were becoming in Ontario. From the passage of *The Taché Act* in 1855 until the turn of the century separate schools had quadrupled in number, from 100 schools serving approximately 10,000 pupils in 1857 to 465 with a total enrolment of 53,551 in 1908. This followed the corresponding growth of the Roman Catholic population in the province from 167,695 in 1851 to 390,304 in 1901.³⁰ Between 1912 and

³⁰ Given the limited impact of the previously mentioned Protestant and Negro separate schools in the province, my references to "separate schools" will henceforth refer exclusively to those Catholic in their orientation. All statistics taken from Hodgins, Legislation and History of Separate Schools, p. 57, Burwash, Egerton Ryerson, pp. 219, 234, 238 and Moir, Church and State in Canada West, pp. 185 and 189.

1930, a further 248 new separate schools were built, increasing their total number to seven hundred and sixty-one (Table 1.1).

Table 1.1 Catholic Separate Schools of Ontario

| Year | Schools | Teachers | Pupils |
|------|---------|----------|---------|
| 1912 | 513 | 1,237 | 61,297 |
| 1914 | 519 | 1,344 | 66,271 |
| 1916 | 539 | 1,454 | 69,265 |
| 1918 | 559 | 1,526 | 71,302 |
| 1920 | 594 | 1,716 | 76,881 |
| 1922 | 656 | 1,958 | 88,546 |
| 1924 | 708 | 2,149 | 93,524 |
| 1926 | 723 | 2,293 | 97,248 |
| 1928 | 743 | 2,433 | 103,342 |
| 1930 | 761 | 2,568 | 109,661 |

Source: Compiled from "Report of the Minister of Education for the Province of Ontario, 1913-1931", (Toronto, King's Printer).

This sheer increase in Catholic demand served to further highlight the inadequacies of *The Assessment Act*. In Toronto, home to the greatest corporate growth in the province, the impact was staggering. By 1932, the total assessed value of corporation properties was \$363 million, with separate schools seeing an allocation of only \$4 million. This provided public schools with roughly ninety-one times greater a tax base, while their average attendance was only about six times greater.³¹ Clearly most corporations in the city automatically defaulted their assessments to the public schools without any consideration for the fact that they were, in most cases, at least partially owned by separate school supporters. Traditionally, separate boards had been compelled to secure additional funds through residential tax rates that were generally higher than

³¹ Quinn, "Pertinent Facts," p.14.

those of the public schools. During the period spanning 1921 - 1933, a separate school supporter was taxed, on average, 4.23 mills higher than that of their Protestant neighbour (Table 1.2).³² Ultimately, Catholics were faced with the arduous decision of incurring prohibitive costs by sending their children to the local separate school or abandoning the system altogether.

Table 1.2 School Assessments/ Tax Rates - Toronto, 1921-1933

| Year | Separate School Rate | Public School Rate | Difference in Rate | Separate School Assessment | Public School Assessment | Difference in School Taxes |
|------|----------------------------|--------------------------|-----------------------|----------------------------------|--------------------------------|----------------------------------|
| 1921 | 12.12 | 8.12 | 4.00 | \$39,962,911.00 | \$40,122,762.44 | \$159,851.44 |
| 1922 | 11.10 | 8.60 | 2.50 | 43,659,352.00 | 43,768,500.38 | 109,148.38 |
| 1923 | 12.00 | 7.80 | 4.20 | 46,259,617.00 | 46,453,907.39 | 194,290.39 |
| 1924 | 12.00 | 7.40 | 4.60 | 46,359,121.00 | 46,572,372.96 | 213,251.96 |
| 1925 | 12.00 | 7.25 | 4.25 | 46,325,026.00 | 46,521,907.36 | 196,881.36 |
| 1926 | 11.50 | 7.15 | 4.35 | 46,301,092.00 | 46,502,501.75 | 201,409.75 |
| 1927 | 11.50 | 7.15 | 4.35 | 47,410,643.00 | 47,616,879.51 | 206,236.51 |
| 1928 | 11.50 | 7.15 | 4.35 | 48,006,117.00 | 48,214,943.60 | 208,826.60 |
| 1929 | 11.50 | 7.25 | 4.25 | 51,009,041.00 | 51,225,829.42 | 216,788.42 |
| 1930 | 11.50 | 7.15 | 4.35 | 51,681,133.00 | 51,905,949.93 | 224,812.93 |
| 1931 | 11.50 | 7.15 | 4.35 | 53,164,457.00 | 53,398,722.39 | 234,265.39 |
| 1932 | 11.50 | 6.90 | 4.60 | 53,849,935.00 | 54,091,644.70 | 247,709.70 |
| 1933 | 11.50 | 6.95 | 4.55 | 53,216,353.00 | 53,458,487.40 | 242,134.40 |
| | | | | | Total | 2,652,607.23 |

Source: Compiled from "Statement of Difference in School Rates and in Amounts of School Taxes Represented by Such Difference of Rates From 1921-1933, Both Years Inclusive," E.F. Henderson, Secretary, Toronto Separate School Board, May 22, 1933, File 10, Series 46, MSSBA.

The same phenomenon was also being experienced elsewhere in the province. Maxwell Cameron, in his monumental study of the financial structuring of education in Ontario, found that for each urban centre having both public and

³² The mill rate calculation was based on a tax assessment for every \$1,000.00 of ratable property. For example, a mill rate of 8.5% would translate to an assessment equaling \$8.50 for

separate schools, the assessment per public school pupil ranged from 1.5 to 5 times that of the separate school assessment, with the ratio of public to separate in the median case being 2.14 to 1.³³ Logically, the more money a school had, the more it would spend, and the higher was its cost per pupil. Nowhere was this more apparent than in the cost-intensive area of teacher salaries. In twenty-five Ontario cities reviewed by the Ministry of Education in 1929, public school teachers received an average of \$50.31 per pupil of daily attendance. Separate school teachers in the same cities received only \$23.83 per pupil, with a substantial difference in average salary, from \$1,665.82 to \$767.50.³⁴

Many Catholics clearly found the burden of higher assessments to be more than they could afford. In the city of Ottawa, for example, the Secretary-Treasurer of the Separate School Board, E.C. Desormeaux, annually published the figures for Roman Catholics who were listed as public school supporters. The number reached 1,346 families in 1929, at an annual loss of tax revenue to the separate schools of \$55,000.³⁵ In Toronto, the figure was closer to 2,000 families.³⁶ Compounding this was the fact that the separate schools usually lost out on the taxes paid from the families of "mixed marriages." According to *The*

every \$1,000.00 of ratable property.

³³ Condensed, Cameron found that of the tax rates in the 105 municipalities in the province having both public and separate schools, with few exceptions, in every city, town and village the expenditures per pupil were higher for public than for separate schools. See Maxwell A. Cameron, "The Financing of Education in Ontario," *Bulletin #7*, (Toronto: Department of Educational Research, University of Toronto, 1936), pp. 156-157.

³⁴ "Report of the Committee on Enquiry into the Cost of Education in the Province of Ontario," (Toronto: King's Printer, 1938), appendix C, p. 76.

³⁵ *The Ottawa Journal*, February 18, 1929.

³⁶ *The Evening Telegram*, February 19, 1929.

Assessment Act, where the father in a household was a Protestant and the mother Catholic, the educational assessments were to be directed to the public board.³⁷ In addition, Catholic property owners were often simply negligent in ensuring they were properly assessed as separate school supporters. Probably the busiest person in the fight to overcome these complications was the local Separate School Assessment Revisor, who prosecuted cases where Catholic property owners, usually through their own negligence, had failed to properly declare themselves. The annual report for the Toronto Revisor in 1926 showed 448 successful prosecutions, an increase of 240 over the previous year. Of that number, only 20 ratepayers had voluntarily notified the office that they had been wrongly assessed.³⁸

Solutions to the problem were few and fleeting. Critics pointed out that budget shortfalls could be supplemented by the grants dispensed annually by the Ministry of Education. Catholics looked to the educational grants skeptically for two reasons: (a) lacking permanence, they would rest entirely on the whim of the government, doing little to address their claims of injustice with regard to the fair distribution of their tax monies, and (b) the rate of separate school growth in the province heightened anxieties that they would always be dependent on such grants, and hence never self-supporting. Time soon bore out the reality of these

³⁷ *The Assessment Act* (1886) 49 Victoria. The Separate School Revisor, John Dillon, concluded in his report on Toronto for the year 1931 that in most cases of mixed marriage, where the father was Protestant and the mother Catholic, children were sent to the local separate school. See "Report - John A. Dillon - School Assessment Revisor - Assessment List of Public School Supporters by Request," 1931, CTAP, Series 46, File 6, MSSBA.

³⁸ John Dillon, "Report of the Assessment Revisor for Wards 1-8 in Toronto, 1926," Catholic Education Papers, ED SP04.01-.08, ARCAT.

fears: due to province-wide low assessments, grants covered approximately 60% of separate school operating costs by the mid-1930s.³⁹

The Ontario Hierarchy and the Roots of Catholic Educational Advocacy

The period that saw the Ontario economy transformed also witnessed a development in the advocacy of social and religious issues in the province. Publicly funded denominational schools had been the joint concern of Catholic and Protestant clergymen alike until the 1840s. Ryerson's vision of a singular, "public" system killed the conjoined church-school model for many Protestants, leaving a series of Catholic crusader-bishops to champion the cause of separate schools. The right to public support for Catholic schools may be traced to the work of Ontario's first activist-priest, Father Alexander Macdonell. Later the first Catholic bishop of Upper Canada, Macdonell had already distinguished himself with the Highland Fencibles, a Catholic regiment in Scotland, by the time he was made chaplain to a Scottish-Catholic regiment during the War of 1812.⁴⁰ By way of compensation, the priest and his largely Scottish-Highland flock were given extensive land grants that he parlayed into the first Catholic school at Glengarry, making its instructor, James McPherson, "the first Catholic teacher to receive governmental aid." Macdonell advanced the cause of Catholic education at Glengarry to the point where the province paid some 3,400 pounds for salaries.⁴¹

³⁹ Cameron, "The Financing of Education in Ontario," p. 69.

⁴⁰ J.E. Rea, "Bishop Alexander Macdonell," Ontario Historical Society: Research Publication #4, 1974.

Following this lead, as the first bishop of the newly created Diocese of Toronto, Michael Power petitioned the legislature in 1844 for an amendment to *The School Act* that would bring about a fairer distribution of common school funds.⁴² Selected as the inaugural Chairman of the Board of Education for Upper Canada in 1846, Power's role has been interpreted variously by historians. With Ryerson's plan for one system of common schools not actively pursued until the 1850s, Franklin Walker asserts that the bishop's involvement "demonstrates his desire to associate himself with the new education movement, but by no means shows that he did not support separate schools." Acknowledging the opposing historiographical perspective, However, Mark McGowan has noted references to Power as "...an enlightened prelate who preferred a common, non-sectarian school system."⁴³ Piecing together the fragmentary remains of his life and career, McGowan concludes on the bishop as keenly in touch with his times, loyal to Church and Empire, "a contributor to the moderation that marked the 1840s in Canada West."⁴⁴ Regardless, Power's chairmanship of the Board of Education would be short-lived, as he succumbed to a wave of typhus while ministering to new immigrants from Ireland in 1847.⁴⁵

⁴¹ Hugh J. Somers, *The Life and Times of the Hon. And Rt. Rev. Alexander Macdonell, D.D., First Bishop of Upper Canada, 1762-1840*, (Ph.D. diss., Catholic University of America, 1931), p. 53.

⁴² Walker, *Catholic Education and Politics*, vol. 1, p. 51.

⁴³ Mark McGowan, "What Did Michael Power Really Want? Questions Regarding the Origins of Catholic Separate Schools in Canada West," *Historical Studies* (The Canadian Catholic Historical Association), vol. 68, p. 86.

⁴⁴ *Ibid.*, p. 103.

⁴⁵ *Ibid.*, p. 55.

As the hopeful years of the 1840s gave way to the ominous 1850s, the zealous French clergyman Rev. Armand Francis Marie, Comte de Charbonnel arrived in Toronto. Appointed bishop in 1850, it was the lobby spearheaded by him that forced Ryerson's hand in effecting an amendment to *The Common School Act* in 1852, and paved the way for *The Tache Act* of 1855.⁴⁶ In its final incarnation however, it was clear that the bill had succumbed to Protestant opposition, proving entirely different from the original proposal. In the end, these "concessions" were revoked, and the final act stood as no improvement for separate schools. In a letter to his Deputy Superintendent of Education, George Hodgins, Ryerson indicated that the changes occurred somewhere en route to Ontario after the bill had been originally presented to the Legislature for Canada East:

I met Mr. George Brown, M.P. on the boat this afternoon. He says that the Separate School Bill underwent various changes, - all to the disadvantage of the Supporters of Separate Schools, - that the Bill, as finally passed, was quite a different Bill from the original one which we have.⁴⁷

This would ensure both the bishop's wrath and the fact that separate schools would be a public issue in the province from this time forward. De Charbonnel

⁴⁶ John Moir offers evidence of de Charbonnel's influence in the province, and the animosity that existed between him and the governmental authorities: "After many representations, I was obliged to enter into an open war against our system of schools; until then, my adversary was enchanted with dealings and the tolerance of the Bishop; today he is afraid and tries to scare me; as an answer to one of my letters, I received 23 folio pages of offensive personal comments and humiliating insinuations from the side of our sort of Minister of Public Instruction [Egerton Ryerson]." The original Bill, drawn up in Lower Canada and presented by the Hon. Sir E.P. Tache in May of 1855, included simpler provisions for the establishment of separate schools and increased power to create denominational corporations for the purpose of collecting rates from their respective subscribers. See Moir, *Church and Society*, p. 119.

⁴⁷ Walker, *Catholic Education and Politics*, vol. I, pp. 163-172; Op. cit., Hodgins, *Legislation and History of Separate Schools*, p. 100.

resigned his seat on the Toronto School Board and aggressively launched a new Catholic campaign in his Lenten Pastoral Letter of 1856. Propitiously timed to coincide with a growth period for Catholics in the diocese, the letter demanded:

Catholic electors who do not use their electoral power on behalf of separate schools are guilty of mortal sin. Likewise parents who do not make the sacrifices necessary to secure such schools, or send their children to mixed schools.⁴⁸

The foundation had been laid for an activist episcopacy over Catholic education in Upper Canada. The bishops had positioned themselves as forces to be reckoned with in the profusion of issues that would challenge separate schools in the years to come.

John Joseph Lynch, who succeeded de Charbonnel as Toronto burgeoned into an archdiocese, saw his role transformed into that of a political godfather. During the legislative deadlock of the 1860s that paralyzed law making in the two Canadas, he was sought out for his influence in order to help direct Catholic voters to the Conservative Party.⁴⁹ While the problem of stalemates did not end here, the early 1860s saw the Ontario hierarchy as a central focus of political efforts to assuage the fractious legislature.⁵⁰ *The Scott*

⁴⁸ Copy, "Lenten Pastoral Letter, Bishop de Charbonnel, 1856," CTAP, File 3, Series 46, MSSBA.

⁴⁹ *The Act of Union* had not proven to be the success that Lord Durham had anticipated in his famous "Report" of 1839, and the union of the legislatures of Canada East and Canada West resulted in the formation of a variety of political parties. The Liberal-Conservatives, the Clear Grits, and the Parti Rouge were so evenly balanced in the Legislative Assembly that effective government was nearly impossible. Cordial relations between Lynch and Ryerson prompted the latter to see him as a potential ally, resulting in Lynch's subsequent appointment to the Provincial Council for Public Instruction. See Walker, Catholic Education and Politics in Upper Canada, vol.1, p. 265.

⁵⁰ The Ontario bishops had actually been working to gain improvements for some time. A memorandum had been composed by the bishops of Kingston, Toronto and Bytown in 1854,

Act was one of the biproducts of the many efforts at conciliation that marked this period, and involved cooperation between the Ontario hierarchy and the bill's original sponsor, Richard Scott.⁵¹ While understood at the time as the crowning achievement of the separate school movement, the act would not bring closure to the issue, and the bishops would fiercely oppose contentions as to the finality of the agreements of 1863 and 1867.

The brief lull in denominational rivalry that marked the Confederation period was soon replaced with the heated Protestant opposition that accompanied the arrival of "no popery" to Ontario politics. The movement was a response by the Meredith Conservatives to the perceived weakness of Mowat's Liberals in the face of expanding separate school influence in the 1880s and 1890s, and served as an outlet for Protestant bigotry riled by growing Catholic influence in the province. Particularly feared was the expansion of separate school "privileges" to the secondary level, and the overall growth of separate and French language schools. Prominent in this campaign were the Equal Rights Association, headed by Rev. William Caven, Principal of Knox College, the secretive Protestant Protective Association and the Orange Lodge.⁵² *The Scott*

outlining the essentials of the school laws for Canada East and Canada West, together with the first draft amendment of a separate school bill that would meet Catholic needs in the province. For the table and the draft bill, see Hodgins, Legislation and History of Separate Schools, pp. 82-83 and 85-87. Ryerson was opposed to this plan, responding that the draft's most objectionable features would involve "the complete destruction of our public school system." See Burwash, Egerton Ryerson, p. 230.

⁵¹ The Archives of the Metropolitan Separate School Board in Toronto contain copies of varied communications here with Scott, including: John Farrell, Bishop of Hamilton to Scott, April 15, 1860, the Bishop of Kingston (unsigned) to R.W. Scott, undated and John Joseph Lynch, Bishop of Toronto to Scott, March 14, May 6, 1863, CTAP, Series 46, File 13, MSSBA. Op cit., Scott, "Sir Richard Scott, K.C."

Act's acceptance in the Confederation agreement, a boon for Catholics, prompted Sir John A. Macdonald to recommend caution in 1873 if the bishops wanted to avoid an inevitable conflict with the Protestant majority in Ontario:

It appears to me, however, that the Catholics, if they pursue a wise course at the next election, will be masters of the position. They should not agitate the school question too much, or they will raise a Protestant sentiment against it; they should simply use their influence in favour of those candidates who will promise to do them justice...it seems to me that the Catholics are strong enough to carry their point. Such a policy, to be successful must, however, be carried out quietly.⁵³

The subsequent agitation, however, would prove to be anything but quiet, and the bishops emerged into the post-Confederation era more politicized than ever before. They exercised an all-encompassing control over their flock, causing Robert Dixon to remark "the clergy doubted if Catholic lay people, without much education or wealth, could be sufficiently objective and protective of separate school rights."⁵⁴

Bishop Lynch, in particular, was distrustful of any measures that would weaken the hierarchy's influence over both Catholic institutions and the faithful. For example, in separate school elections he had traditionally relied on the moral suasion afforded him through open voting. An 1888 campaign for the secret ballot in trustee elections made the bishop uneasy, and his opposition to the idea

⁵² The election of James Whitney's Conservative government in 1905 brought an end to the open warfare on "no-Popery", as the new premier openly curried "Romish" favour by enlisting the support of prominent Catholics such as Toronto businessman J.J. Foy, who would later be appointed to his cabinet. See Walker, *Catholic Education and Politics*, vol. II, pp. 157-191.

⁵³ Macdonald to Rev. James Quinn of St. Stephen's, New Brunswick, May 29, 1873, Archbishop Forbes Papers, File "CTA", MG 27, AOA.

⁵⁴ Bethune and Dixon, "A Documentary History of Separate Schools", p. 5.

opened him to further vilification from opposing Protestants.⁵⁵ Accused by Liberal Prime Minister Alexander Mackenzie of blending ultramontaniam into his political perspective, he responded in an open letter

The Catholic Church asks no special favours from any party. Her existence is independent of both. She asks only that her people be put under no unjust restraint or ban...The Catholic Church asks only liberty to do good and to be untrammelled by unjust laws in the exercise of her divine rights.⁵⁶

Increasingly the target of negative public attention, however, the bishops soon tired of being in the spotlight. Henceforth they would respond to educational issues in concert, using all of the power and influence at their collective disposal to bring an element of justice to their separate schools.

Utilizing "Lay Specialists": The Catholic Educational Council

Issues of finance became the central focus for the bishops in the twentieth century, embodied in their concern for the mounting disparity in tax revenues between public and separate schools. The Episcopal centres of Toronto, Kingston, Peterborough, London, and Ottawa joined forces in on January 13, 1909, forming what they would refer to as their Bishop's Committee to discuss "matters pertaining to the separate schools of the Province."⁵⁷ Commissioned to

⁵⁵ Lynch had incurred Protestant wrath earlier, in 1882, with his objection to the use of the poem "Marmion," a less than flattering interpretation of medieval Christian asceticism by Walter Scott, as a matriculation subject for entrance to the University of Toronto. See Walker, Catholic Education and Politics, vol. II, p. 96.

⁵⁶ Moir, Church and Society, pp. 94-95.

⁵⁷ The meeting, held in Peterborough, Ontario, was fairly representative of the Ontario hierarchy, including Archbishops C.H. Gauthier (Kingston - Chair), Fergus McEvay (Toronto), Bishops Dennis O'Connor (Peterborough) and D.J. Scollard (Sault Ste. Marie). Letters of regret were received from Bishops T.J. Dowling (Hamilton) and E.A. Latulippe (Haileybury), and

deal with a host of related issues including textbooks, teacher qualifications and separate school grants, the bishops devoted the bulk of their attention to the educational taxes paid by corporations and public utilities. With regard to the former, it was resolved they should be publicly encouraged to:

...divide their school taxes pro rata of the assessment of Public and Separate School supporters. That Corporations and Companies, whose money receipts are derived from the patronage of both public and separate school supporters...divide their School taxes according to the average yearly attendance of pupils in each. And that regarding assessment, that the statement of any ratepayer that he is a Catholic, or knowledge on the part of the assessor that any ratepayer is a Catholic, be prima facie evidence that he is a Separate School supporter, and that he be set down as such in the Assessment Roll, and that no ratepayer be obliged to give written notice to the Clerk of the municipality in order to become a Separate School Supporter.⁵⁸

This was a firm commitment from the Ontario hierarchy to undo the damage caused by *The Assessment Act*. Soon they would expand the work of their “Educational Committee,” creating the Catholic Educational Council as the new organization to lead the campaign. Facilitating this work in the new corporate reality that was enveloping Canada, a limited number of “lay specialists” were enlisted to advise them in matters of strategy and financing.⁵⁹

telegrams expressing the same from Archbishop J.T. Duhamel (Ottawa) and Bishop W.A. Macdonell (Alexandria). See “Meeting Minutes – Ontario Bishops,” January 13, 1909, CTAP, File 2, Series 269, Box 38, MSSBA.

⁵⁸ “Meeting Minutes – Ontario Bishops,” January 13, 1909, CTAP, File 2, Series 269, Box 38, MSSBA.

⁵⁹ McNeil to Forbes, January 5, 1929, File “Catholic Educational Committee,” MG 22, AOA. There is some confusion with regard to the origin of the Catholic Educational Council. The Educational Papers of the Archives of the Roman Catholic Archdiocese of Toronto provide a more complete picture of this key movement. The “Bishops Educational Committee” that met in Peterborough in 1909 took on a new strength of action in the years after Neil McNeil was invested as the Archbishop of Toronto in 1912. In 1914 McNeil sought out Michael O’Brien, Separate School Inspector for Peterborough, as the Secretary of the CEC. Deeply connected with the Ministry of Education, he became instrumental in coordinating the educational work of the five

As its first order of business, the Council focused its energies on the Ontario courts, spending some \$40,000 in investigation and litigation costs for cases dealing directly with separate school issues.⁶⁰ Their first case dealt with the contention that separate schools had a dual nature as both “separate” and “public.” This was confirmed in law in 1915 with the decision of Ontario Chief Justice Sir William Meredith in the case of *The Ottawa Separate School Trustees v. The City of Ottawa*.⁶¹ After outlining the provisions of *The Scott Act*, Meredith remarked

It will be seen from this summary of the main features of the Act that the Roman Catholic Separate Schools were part of the Common School system of the Province and as much common schools as those schools which have that name. The term ‘Common School’ and ‘Roman Catholic Separate School’ or ‘separate school’ were adopted as a convenient mode of distinguishing between the two classes of common schools.⁶²

In the same case the trial Judge, Justice Richard M. Meredith, remarked:

The modern fashion of applying the short name ‘public schools’ to the general public schools which were in earlier days called the ‘common’ or ‘union’ schools, and more appropriately so-called, and

major Episcopal Centres of Toronto, Kingston, Peterborough, London and Ottawa in the name of the Catholic Educational Council of Ontario. E.F. Henderson, Secretary of the Toronto Separate School Board was an ex-officio member of the Council, periodically attending meetings of the CEC and serving as a resource person representing the largest separate board in the province. See Bishop J. O’Brien (Peterborough) to McNeil, July 15, 1915 (ED SP05.07) and August 5, 1915 (ED SC01.230), Catholic Education Papers, ARCAT.

⁶⁰ McNeil to Forbes, January 5, 1929, Archbishop Forbes Papers, File “Catholic Educational Committee,” MG 22. AOA.

⁶¹ Meredith was the Leader of the Opposition Conservatives at the time of the passage of the Assessment Act and during the bitter sectarian feuding that typified the political climate in Ontario during the 1880s and 1890s. He was subsequently named Chief Justice of the Supreme Court of Ontario.

⁶² “Ottawa Separate School Trustees v. The City of Ottawa,” Ontario Law Reports, 1916, p. 492. See also Quinn, “The Case for Ontario Separate Schools,” p. 17 in Cardinal McGuigan Papers, 1937, MGS020.115 (b), ARCAT.

for applying the short name 'separate schools' to the particular public schools separated from the general ones under the Separate Schools Act, is no excuse for misunderstanding their true character of, all alike, public schools maintained in the public interest and for the public welfare.⁶³

It was clear that the courts at least were willing to recognize that the full constitutional guarantees made to Catholic separate schools could not hide behind general perceptions of "finality" or the subtle manipulation of nominal titles. The CEC had its first victory.

In 1922 school taxes were again an issue in another prominent case that caught the attention of the leading spokesman for the CEC, Toronto Archbishop Neil McNeil. This involved the decision by the Spanish River Pulp and Paper Company to erect a new mill in the town of Sturgeon Falls, Ontario.⁶⁴ Before a new by-law granting certain exemptions to the company was presented to the people, it was agreed by all parties concerned that its school taxes should be divided, pro-rata, between the public and separate schools. The public board lived up to this arrangement until attention was drawn to the fact that this would be precedent setting. The matter eventually made it to the courts, where it was determined, in light of *The Assessment Act*, that there was no legal provision whereby the agreement could continue. This despite the fact that 3/5 of the area's residents were separate school supporters, as were 87% of the

⁶³ "Ottawa Separate School Trustees v. The City of Ottawa," Ontario Law Reports, 1915, p. 624, quotation from p. 630. This would again be pointed out by Viscount Haldane of the Judicial Committee of the Privy Council in *Roman Catholic Separate School Trustees for Tiny v. The King*, 1928.

⁶⁴ McNeil was well aware of the detrimental effect of resolving the issue through the courts and remarked "the sense of justice is often hurt by the effects of legal efforts to divide school taxes on the basis of the faith of shareholders." See "A Question of Schools" by Neil McNeil in *The Catholic Magazine*, vol. 6, November, 1921, p. 22.

employees of the mill. Regardless of the final decision, the case was significant for the sense of cooperation at work in Sturgeon Falls. The Secretary and Director of the Spanish River Company announced that, though the company's ownership was entirely made up of Protestants "...it struck the board that it was manifestly unfair that the taxes leviable against our property for school purposes should all be paid over to the public school supporters."⁶⁵

Another case, *The Goderich Roman Catholic Separate School Trustees v. The Town of Goderich*, foreshadowed the difficulties that would follow the school tax question in regard to its fierce Protestant opposition. The suggestion in 1923 that the town amend its assessment roll by providing that 1/13 of the taxes of Western Canadian Flour Mills be applicable to separate school purposes was apparently more than local public school supporters could bear. The presiding judge, Justice Middleton, held that the burden of proof was upon the persons asserting an improper proportion of the taxes had been allotted by the company to the separate school. This decision was rendered in November, 1922, only to be reversed on appeal, citing that the revised *Separate School Act* of 1920 put the burden of establishing that the company did not possess the required number of Roman Catholic shareholders on the municipality or the assessor. It was further argued that where the company had stated it could provide no information with regard to the number of Catholic shareholders and where in fact no such

⁶⁵ Bishop Fallon Papers, Miscellaneous File, "Sturgeon Falls Case – 1922," DLA. Such appeals to an "enlightened Protestantism" and the sense of "British fair play" would form a key directive of the work of Martin Quinn and the Catholic Taxpayer's Association. See Quinn, "Some Pertinent Facts," (1932), Quinn, "Catholics are Counted, But They Don't Count," (1938) and the Catholic Taxpayer's Association, "In the Matter of the Roman Catholic Separate Schools of Ontario," March 7, 1938, CTAP, File 2, Series 269, Box 38, MSSBA.

information was furnished, the proposed change in assessment should not be made. If the original decision in the Goderich case were to stand as recognized law, then all corporations having Catholics among their shareholders would have been free to allot a fair share of their school taxes to the support of separate schools. The burden, that was until this time generally assumed by the companies, of proving the propriety of the division (which in regard to large companies was practically impossible to discern), would instead be upon anyone who wished to dispute what would presumably be a fair and just division.⁶⁶

Through these cases, the Catholic Educational Council had been able to publicly assert its position that separate schools in Ontario were not merely to be tolerated, rather, they were intended to be an integral component of the province's educational system. The early enthusiasm that accompanied the Meredith decision, though, had been tempered by the reality evidenced by the Spanish River and Goderich cases: public as they may be, separate schools had a long way to go yet to make their case for "full" tax funding. While, as Franklin Walker contends, the Ontario bishops were now carrying on their negotiations with the province largely in backrooms,⁶⁷ a *Catholic Record* editorial in 1921 attested to the desire that had been fomenting in some circles for more of a public appeal from the Catholic Educational Council:

The present arrangement, so far from lending itself to the promotion of good will and training in cooperation and citizenship, brands Catholics as inferior, subjects them to humiliation and deprives

⁶⁶ "Goderich Separate School Question," Bishop Fallon Papers, M.F.F./1/3/15 – 1923, DLA.

⁶⁷ Walker, *Catholic Education and Politics*, vol. II, pp. 322-354.

them of their elementary rights as citizens and taxpayers to voice their approbation or disapprobation as to the way their money is spent.⁶⁸

Frustration with government inaction did gradually drive the work of the bishops and their CEC more into the public sphere. As the decade progressed, the agitation expanded and moved towards its own legal test. *The Tiny Township Case* would, like the corporation tax issue, challenge conventional government thinking in regard to the finality of the Scott Act, with Catholics insisting they be permitted to create publicly funded high schools. As a test of the elasticity of the constitutional agreement in regard to separate schools, the case would be pivotal for the bishops, who in the long run were really more concerned for the financial implications of lost corporation tax revenues for their schools.⁶⁹

The work of the CEC had not been entirely confined to promoting significant legal cases. The bishops began publicly preaching the gospel of school tax reform in the early 1920s.⁷⁰ Neil McNeil went even further, submitting

⁶⁸ *The Catholic Record*, June 11, 1921.

⁶⁹ Walker, *Catholic Education and Politics*, vol. II, p. 343. See also "Parish Circular – To Parish Priests," March 2, 1923, Bishop Fallon Papers, MFF/1/ 3/ 36/ 35, DLA.

⁷⁰ Notable here was the work of the Archbishop of Toronto and the Bishop of London. Although Peter Oliver correctly notes that McNeil "preferred to attempt to reach a settlement by private political negotiation," this did not mean that the Toronto prelate shied away from confrontation. He engaged prominent Toronto Orangeman Benjamin Kirk in a series of open letters in *The Globe* in 1921, as well as speaking to gatherings of the Canadian Club and the Knights of Columbus later that year. See Peter Oliver, *G. Howard Ferguson – Ontario Tory*, (Toronto: University of Toronto Press, 1977), p. 250. See also File "Archbishop Neil McNeil", CTAP, Series 269, Box 38, MSSBA. Op. cit., Walker, *Catholic Education and Politics*, vol. II, p. 344. In 1921 the bishops issued a joint pastoral letter on the dire financial condition of the separate schools. Although he had resigned from the Catholic Educational Council in 1920 over his perception that both the Bishops themselves and the Province were not moving fast enough to resolve separate school questions, Bishop Fallon of London spoke at a lively Catholic rally at Massey Hall in Toronto in 1922 for three hours on "The Constitutional Position of Separate Schools." See *The Catholic Register*, February 16, 1922 and Walker, *Catholic Education and Politics*, vol. II, p. 347. Op. cit., Oliver, *G. Howard Ferguson*, p. 250-251.

a memorandum to the Ontario government, highlighting the various burdens placed on the province's separate schools as a consequence of *The Assessment Act*. He indicated that over the period from 1917 to 1922, the cost of education had risen sharply for both systems, with a total increase per pupil of 88.2%. For the separate schools this translated into a jump from \$8.32 per pupil to \$15.66 annually, forcing several boards, such as those at Oshawa, Hamilton and Weston, to begin running annual deficits.⁷¹ Frustrated with Conservative inaction, McNeil and the CEC found a slightly more receptive audience in the new United Farmer of Ontario government of E.C. Drury. In May, and again in December of 1921, they requested a legislative solution to the school tax question. Drury promised that the matter would be solved through the courts with a test case that could be appealed through to the Privy Council.

When the Conservatives were returned to power in 1924, now Premier Howard Ferguson, acting as his own Minister of Education, honoured Drury's word, acknowledging to Bishop Michael Fallon of London "I have always sought to remove from the field of controversy all our educational problems. The judicial determination is, to my mind, the one way of bringing this about."⁷² Reflecting back on the period from 1926 to 1928 and the judgment that would be known as

⁷¹ Memorandum, "To the Committee Appointed by the Government of Ontario to Revise the Provincial Statute," undated, 1924, CTAP, File 13, Series 46, MSSBA.

⁷² The CEC, represented almost exclusively by priests and bishops (Archbishop McNeil Bishops Fallon and O'Brien (Peterborough), and the clergy (Fathers Dowdall, Foley, Englert, Fergus). Michael O'Brien and TSSB Secretary E.F. Henderson were the lone lay voices) met with Drury on May 31, 1921, and requested legislative action. Receiving no reply that year from the United Farmer of Ontario government, a second request in December of that year that led to another CEC delegation interviewing the premier in 1922. See Catholic Educational Council to Drury, December 20, 1921 in Catholic Education Papers, ED SO05.04, ARCAT. Op. cit. Walker, *Catholic Education and Politics*, vol. II, pp. 337 and 346.

The Tiny Township Decision, McNeil clearly elucidated the strategy of the CEC to *The Evening Telegram* in 1930. Rejecting an offer of \$1,000 from the pro-Orange daily to help finance another court appeal, he declared that they had anticipated losing the case and wanted the high school question to be at least temporarily settled before pressing for new legislation to resolve the school tax question.⁷³

Separate high schools had never been on *terra firma* since they were first introduced in the nineteenth century. While *The High School Act* of 1871 formally brought publicly funded secondary education to Ontario, the demand for compulsory post-elementary schooling was largely an urban phenomenon of the 1900s. At de Charbonnel's invitation a host of religious communities had come to the province in the 1850s to join the already present Institute of the Blessed Virgin Mary, including the Sisters of St. Joseph, the Christian Brothers and the Basilian Fathers, all of whom would soon offer private secondary school instruction. The public-separate secondary model, though, really found its roots in the provincial statutes passed in 1896 and 1899. While clearly the province wished to limit separate school influence to the elementary level, "fifth classes" and "continuation schools" were permitted in school sections that were too far away from an established public secondary school. A new directive from the Ministry of Education in 1915 replaced the word "district" with "section" – the meaning of which implied a much larger geographical area, having the effect of

⁷³ *The Evening Telegram*, February 11, 1930. See also McNeil to Forbes, January 5, 1929, Archbishop Forbes Papers, File "Catholic Educational Committee", MG 22, AOA.

ending all public-funding for separate school work beyond the elementary level.⁷⁴ Recommended by Superintendent of Education John Seath, the measure was a response to Protestant contentions that separate schools should not be allowed to extend their curricula beyond the elementary level. McNeil argued for the economic efficiency of the continuation schools, which were often highly subsidized by the various religious orders that administered them, and that removing them would bode poorly for the overall level of high school attendance in the province

It is like the case of the General Hospital or the Tuberculosis Hospital, or any other Public Utility, which is supported partly by public funds, and partly by private contributions. It is not easy to apply to them the same sort of regulations that are made for institutions entirely supported by public funds.⁷⁵

His claim was that the implications of *The Scott Act* extended to high schools, which, like corporations, were products of the post-Confederation era. The *Tiny Township Case* would afford Catholics the opportunity to pursue this goal through the courts.

The CEC had informally agreed to slow the pace of its agitation during the course of the test case on the strength of overtures of co-operation coming from the premier's office.⁷⁶ A *Petition of Right* was then brought between the Roman

⁷⁴ Walker, *Catholic Education and Politics*, vol. II, pp. 332-333. Continued lobbying from the Ontario bishops over the issue caused Seath to remark that they had "...an entire misconception of the position that separate schools occupy in the educational system of the province." See Oliver, *G. Howard Ferguson*, p. 250.

⁷⁵ In the memo McNeil highlighted the dramatic increases in numbers of Catholic students attending high school in urban centres in Ontario as a result of these continuation schools. See McNeil, "Memorandum to the Government of Ontario," January 20, 1915, CTAP, Series 46, File 13, MSSBA.

Catholic Separate School Trustees for Lafontaine, in the Township of Tiny, in 1926. They sought the right to create publicly funded separate high schools or continuation schools and contended that for the provincial government to legislate against them would be *ultra vires*. In May of 1926, Mr. Justice Rose found against the trustees; in October of that same year they lost their case at the Ontario Court of Appeal. In October 1927, the Supreme Court also denied the appeal with a split decision.⁷⁷ Responding for the Privy Council, Viscount Haldane rejected the petition on all counts. Disappointing as this was, rather than striking a "... harsh blow at Roman Catholic hopes" as Peter Oliver has contended, *The Tiny Township Decision* was definitive for the shape that, henceforth, the Catholic agitation would take.⁷⁸ The matter of separate high schools would be relegated to the back burner and appeals to the courts abandoned in favour of a vocal and determined call for direct legislative action in the matter of the school tax question.

⁷⁶ Ferguson introduced a new policy regarding the distribution of the educational grants, where rather than basing them on salaries and equipment, consideration would be made of the taxpayer's ability to pay and the school population in the distribution of the grant. For separate school supporters, especially in the more remote and poor rural areas of the province, this provided some immediate relief. See *The Globe*, March 22, 1924. Op. cit. Walker, Catholic Education and Politics, vol. II, p. 348.

⁷⁷ The decision, rendered on October 10, 1927, divided the court almost equally, with Justices Anglin and Rinfret supporting the trustees claim entirely, and Justice Mignault on most points; Justices Duff, Newcombe and Lamont rejected the appeal entirely. For an appeal to the Supreme Court to succeed, a majority decision had to be rendered. See Oliver, G. Howard Ferguson, p. 332.

⁷⁸ Oliver, G. Howard Ferguson, p. 332.

French - English Relations within the CEC

Neil McNeil would later remark of *The Tiny Township Decision* that “we failed in the courts as to grants and grades, but we gained a firmer ground on which to claim fair treatment in the matter of taxes.”⁷⁹ Resolution of the school tax question was now the primary focus of the CEC when it met in July of 1928.⁸⁰ The separate school boards were targeted as ground zero for any public appeal. The editor of *The Catholic Record*, J.T. Foley, recommended the new *modus operandi* that December to the Archbishop of Ottawa, Guillaume Forbes:

Would you approve of a plan whereby I would endeavor to arrange with all of the Separate School Boards of the Province, or with as many boards as would join in the plan, to act as a kind of a Central Office which would endeavor to accumulate from our various school boards accurate data upon which to base a campaign in and of our claim for amendment of the School Acts to give us a fair share of Company's taxes...⁸¹

⁷⁹ McNeil to Forbes, January 5, 1929, Archbishop Forbes Papers, File “Catholic Educational Committee,” MG 22, AOA.

⁸⁰ McNeil and Thomas Battle, the new Secretary of the CEC, led a delegation to see Ferguson that summer in order to “...ascertain the attitude of the government of the province of Ontario toward the public schools.” See Battle to Forbes, August 3, 1928, and October 9, 1928, Archbishop Forbes Papers, File “Catholic Educational Committee,” MG 22, AOA.

⁸¹ J.C. Foley to Forbes, December 3, 1928, Archbishop Forbes Papers, File “Catholic Educational Committee,” MG 22, AOA. Actually, a number of different options had been discussed after the Tiny Township decision, including the first mention of the strategy of finding Catholics of influence that might present such a petition before the government. Mentioned here for the first time was prominent Conservative Senator and future CTA executive member George Lynch-Staunton of Hamilton. See Foley to Battle, February 6, 1929, Archbishop Forbes Papers, File “Separate School Assessment Amendment Committee,” MG 22, AOA. Another suggestion involved entering the public political arena and working ideas through private Catholic representatives in parliament. Directly politicizing the matter was an idea arising from one CEC meeting: “Shall we agree to oppose the candidate of a party which fails to support a substantial measure of justice for our schools?” Seeking to unify Catholic support behind a matter of justice, not politics, the bishops would not go this route just yet. See “Meeting Minutes – Catholic Educational Committee,” December 18, 1928, Archbishop Forbes Papers, File “Catholic Educational Committee,” MG 22, AOA. Both strategies would become critical to the later work of the Catholic Taxpayer's Association.

The CEC executive, dominated by the Ontario bishops, immediately accepted the idea. A hastily assembled petition was forwarded to the trustees of the province asking for "... an equitable and effective distribution or division between separate schools and public schools, of the school taxes paid by publicly owned corporations and companies."⁸² Indeed the timing for such an appeal seemed propitious in light of the free publicity the Orange Lodge had been according the school tax question of late. In particular, they had been vocally objecting to the application in Pembroke, Ontario, for assessment revisions for certain corporations that had, until that time, been directed entirely to the public system. During the period of fixed assessment, several industries and businesses in the area had agreed to an equal division of their education taxes between the public and separate schools. Rendering its decision in early November of 1928, the Court of Revision upheld the Orange Lodge appeal to have property assessments in Pembroke by the Royal Bank of Canada, the Bank of Nova Scotia, the Bank of Montreal, the Canadian Splint and Lumber Company and the Steel Equipment Company, directed entirely to the public schools of the surrounding region.⁸³

The decision to go public, though, soon proved ill advised, as the bishops, unaccustomed to sharing their authority, began to understand the fractious

⁸² "Minutes of Meeting – Ontario Catholic Educational Council," December 18, 1928, Archbishop Forbes Papers, File "Catholic Educational Council," 1929, MG 27, AOA.

⁸³ *The Globe*, November 2, 1928 and *The Catholic Record*, December 8, 1928. Battle commented to Archbishop Forbes "It is sure that it is opportune to start a campaign of popularity to our rights as Catholics to have a share of the new-found taxes for our schools, notwithstanding the exclusive claims of our friends the Orangemen to the money of the Commercial Industrial

nature of their increasingly political movement. *The French Canadian Educational Association (l'Association canadienne-française d'éducation d'Ontario)* had been enjoined in the new campaign, and its charismatic leader, Senator Napoleon Belcourt, now threatened to withdraw from the CEC. Not consulted in the matter of the petition, the ACFEO feared that French autonomy might be submerged within an all-encompassing Catholic campaign that would ultimately not serve its interests.⁸⁴

The unique background associated with the efforts to maintain and preserve French-Catholic education in Ontario explained the ACFEO's hesitation. Distinct dioceses, prelates and separate school sections reflected the cultural and linguistic distinctiveness of Franco-Catholics in areas such as Sandwich in Essex County and Prescott and Russell in the Ottawa Valley. Where the pre-Confederation French population in the province had been, like its English counterpart, free to develop their own curriculum and instruct in the language of their choice, the post-Confederation era brought considerably more restrictions and complications that further separated their educational interests. Even Ryerson had been willing to leave such matters in the hands of the local ratepayers. Constrictions to the French-Catholic educational position in Ontario began in 1885. That year the Department of Education insisted on English as

Companies." See Battle to Forbes, November 7, 1928, Archbishop Forbes Papers, File "Catholic Educational Council", MG 22, AOA.

⁸⁴ "Minutes of Meeting – Ontario Catholic Educational Association, December 18, 1928," and Belcourt to Battle, January 5, 1929, Archbishop Forbes Papers, File "Catholic Educational Council," MG 27, AOA. Thomas Battle, who was the author of the petition and constantly in touch with Belcourt, actually alerted McNeil to the fact that only the bishops would see the final draft: "I understand you to direct that I send a copy of this Petition to all of the Archbishops and Bishops

the language of instruction for the province and mandated English language texts for the schools, while allowing for a “reading period” in French as a minor concession to the minority position.⁸⁵ In Ottawa, the political centre of the language controversy, the issue raged within Catholic lines. The separate board there soon divided its trustees into two groups, one representing French interests, the other English, for such purposes as developing budgets and allocating funds for capital projects. Ensuing competition sparked a host of open conflicts, including one on the campus of the University of Ottawa, that Robert Choquette has referred to as a “microcosm of the problems which were simultaneously developing in Canadian society at large.”⁸⁶

Helped by a substantial growth from 1881 to 1911 of some 150,000 Franco-Ontarians, French-English relations grew even more adversarial in the new century.⁸⁷ The French Canadian Educational Association, created at the Franco-Ontario Congress of 1910, responded to an environment in the province that was increasingly intolerant to any difference in terms of language and religion. At its national convention in Manitoba that year, the Orange Lodge was

of Ontario before having the same reprinted.” See Battle to McNeil, December 21, 1928, Catholic Education Papers, ED SP04 (a), ARCAT.

⁸⁵ Bethune and Dixon, “Documentary History,” p. 32.

⁸⁶ Other factors Choquette relates from the 19th century include national issues such as the Manitoba Schools Question, the hanging of Louis Riel, and the educational clauses of the Acts establishing the provinces of Alberta and Saskatchewan. See Choquette, Language and Religion, p. 10.

⁸⁷ The overall Catholic population at this time increased by 600,000, making the French-Canadian contribution a substantial 25% of that growth. See Choquette, Language and Religion, p.161 and pp. 68-69.

determined to actively pursue the abolition of both separate and French-language schools, resolving to accept a political platform

...for the guidance of the members of the Order, including: the complete separation of Church and State, one non-sectarian publicly supported school system for the nation, English as the official language of the courts and of instruction, and the encouragement of immigration from the UK, US and desirable subjects from Northern Europe.⁸⁸

In addition, Ontario's Chief Inspector of Public and Separate Schools, Dr. F.W. Merchant, was charged in November of 1910 with leading a public inquiry charged to "investigate and report on Ontario's bilingual schools." The findings of this commission would soon recommend the elimination of the so-called "English-French Schools" through the imposition of Regulation of Instruction Number 17.⁸⁹

Reaction to Regulation 17 was understandably sharp, especially given the immediacy of what it intended to do to French language schools in Ontario. French language instruction that continued beyond the First Form was to be only out of "necessity" (i.e.: the lack of competent English language instructors) and only providing students had already begun to be taught in English. French instruction was to be eliminated in these circumstances when the necessary English competency was achieved. No school was to (under normal circumstances) offer more than one hour of French instruction per day. And

⁸⁸ *The Montreal Gazette*, March 8, 1910.

⁸⁹ Choquette, Language and Religion, p.165.

finally, a one-year phase-in period would be allowed for these regulations for the academic year 1912-1913.⁹⁰

Such a political climate put Franco-Ontarians on the defensive, meaning that their eventual cooperation with English Catholics in the work of the CEC would be hard won. Continued division during the war years prompted appeals to Rome in order to calm the continued internecine rivalry. Sympathetic to the French desires for linguistic equality in education, Pope Benedict XV called for the religious unity of all Catholics in two Apostolic Letters, *Commissio Divinitus*, issued on September 8, 1916, and *Litteris Apostolicis* on June 7, 1918. *Litteris Apostolicis*, in particular, offers an interesting perspective on lay Catholic movements, especially in regard to the increased role lay agitation would take in Ontario during the 1920s and 1930s:

That in this matter, that concerns all Catholics, no one is to appeal to the civil courts, nor promote litigation without the knowledge and consent of his Bishop; that in such questions let the latter not decide anything without consultation with the other Bishops immediately interested.⁹¹

Commanding the obedience of all Catholics regardless of language or political stripe, the decrees were able, for the time being, to calm the bitter animosity between English and French co-religionists.

In the province at large, friendly overtures from groups such as the Unity League of Ontario strove to reconcile linguistic and cultural differences in the interests of educational harmony, which soon bore fruit in a provincial re-

⁹⁰ "Report of the Minister of Education for the Province of Ontario for the Year 1912," Toronto, 1913. Op. cit., Walker, *Catholic Education and Politics*, vol. II, pp. 266-268.

evaluation of its school language policy. Assembled by a group of Toronto intellectuals, including C.B. Sissons, M.H. Staples, James L. Hughes and Aurelin Bélanger, the Director of the English-French Schools for Ottawa, its 1922 report was critical of Regulation 17, citing the need for “English compulsory for all; French in addition for those who wish it.” Robert Dixon concludes, realistically, that this “turned the tide” for a new investigatory body in 1927, the Merchant-Scott-Coté Commission, called by Premier Ferguson in response to the Unity League’s Report.⁹² Accepting its findings in September of that year, Ferguson effectively repealed Regulation 17 with results that were disastrous for Orangeism’s rallying cry of “one language, one school.”⁹³ In fact, the premier was singled out as a turncoat by his Lodge brethren, for giving in to the demands of the two groups they found most distressing:

Regulation 17 owed its downfall, like its origin and functioning (or its lack of functioning), to Howard Ferguson...(he) was most obliging. He was not only ready to kill his own Regulation, but also showed he could eat the very words he had used to express the purpose of that Regulation. Mr. Ferguson began his task of killing Regulation 17 by leaving it to function as best it could in the hands of the Roman Catholic teachers who couldn’t speak English and couldn’t teach anything but Romanism.⁹⁴

⁹¹ Bishop Fallon Papers, “Pope Benedict XV Letters,” HF1B.XV/FF1/L1, DLA.

⁹² The Unity League of Ontario, Report on the Teaching of English in the French-English Schools of Ottawa and Certain Rural Localities in Ontario (1922). See also Dixon, “The Ontario Separate School System,” p. 288 and Choquette, Language and Religion p. 230-34, Walker, Catholic Education and Politics, vol. II, pp. 308-09 and Oliver, G. Howard Ferguson, p. 284.

⁹³ *The Canadian Protestant*, vol. 1, no. 3, June, G. Howard Ferguson Papers, 1928, RG - 3 - 9 - 0 - 26.3, 1928, Ontario Archives (hereafter OA).

⁹⁴ Ibid. The Orange Lodge in East York went so far as to pronounce the “Scarboro Resolution” in 1929, a bold indictment of both the premier and his government’s handling of the bilingual schools. See *The Canadian Protestant*, February, 1929, vol. 2, no. 2, G. Howard Ferguson Papers, RG - 3 - 9 - 0 - 26.3, 1929, OA.

The official mouthpiece for the Lodge in Ontario, the *Canadian Protestant*, went even further, accusing Ferguson of “encouraging Catholics” and obscuring CEC demands by alleging that Protestant taxes would go to the support of the separate schools.⁹⁵

Ever the strength and visionary behind the work of the Council, it was Neil McNeil who held the Catholic campaign together. He countered Orange opposition, expressing his vision that Ontario’s dual system of common schools bode well for the future of citizenship in Canada.⁹⁶ Although generally unsympathetic to the French perspective, he took it upon himself to heal the rift with the ACCEO. McNeil clearly felt that the French had been approached in a

⁹⁵ Referred to in particular was Ferguson’s repealing of Regulation 17 that had previously aroused Orange furor in the Scarboro Resolution. See *The Canadian Protestant*, February, 1929, vol. 2, no. 2, RG – 3 – 9 – 0 - 26.3, 1929, OA.

⁹⁶ The files of the Catholic Taxpayer’s Association contain a variety of the McNeil’s thoughts pertaining to the Lodge at this time. With regard to the negative prospects that the Lodge charged the separate schools as holding for national unity, McNeil countered: “It is a mistake to assume that the development of Canadian citizenship is hampered by the division of public schools into general public schools and separate public schools. In the case of the latter, the unity of religions gives the school a greater uniting influence...What would happen if the separate schools of Ontario were starved to death by legislative neglect? They would be replaced by parish schools with language groups of the national churches...Another obstacle in the way of national unity is the multiplicity of religious denominations. The school is regarded as a means of lessening the antipathies born of sectarian prejudices. But in our day, when whole nations are adopting antagonism to God and to the Christian family as a national policy, our civil leaders in Canada are likely to shrink from excluding all religious teaching from the schools. Russia uses her schools to teach atheism.” McNeil was capable of equaling the vitriol emanating from Lodge circles as well: “The Original Sin of Orangeism is (its) congenital incapacity for seeing straight on questions concerning Catholics and their Church. There has been a marked proclivity for seeing crooked. Your true-blue Orangeman professes to believe in Jesus Christ, and yet fosters in himself and in others unreasoning hatred of men and women who profess the same belief and want to have their children profess and practice it.” See “Handwritten Letters, 1920s – Neil McNeil,” undated, CTAP, File 13, Series 46, MSSBA.

spirit of cooperation, but that it was Napoleon Belcourt who stood in the way of any joint venture with the CEC

Our Educational council took the initiative in trying to get together in Ottawa. We had the purpose of the financial support of our schools from the beginning. But it is evident that our Educational council is not in favour with a certain number of French Canadians (Belcourt), and it may be advisable to form a new body.⁹⁷

Speaking candidly to Archbishop Forbes, early in January 1929, McNeil imparted his fear that "...no real unity of action will result if the Bishops do not take an active, leading part in the campaign."⁹⁸ Similar ethnic strife plaguing the Church in the United States at the time had uncovered for McNeil the potential for internecine French-English rivalry. In Providence, Rhode Island, the local Bishop, William A. Hickey, had made headlines throughout the 1920s due to his handling of an ultranationalist movement of French Canadians within his Diocese. Led by Woonsocket attorney Elphégne Daignault, the group opposed Hickey's million dollar fundraising campaign in support of expanding Catholic schools, which Daignault and his supporters charged had overlooked the needs of the region's 35,000 French Canadians. Voicing their dissatisfaction in a new French language paper, *La Sentinelle*, Daignault and his followers eventually presented their grievance before the Sacred Congregation of the Council in Rome. Further, in an appeal to the U.S. Supreme Court, they charged that for Hickey to raise the funds in the first place was *ultra vires* in respect to his episcopal privilege. Losing

⁹⁷ McNeil to Forbes, January 5, 1929, Archbishop Forbes Papers, File "Catholic Educational Council," MG 22, AOA.

⁹⁸ McNeil remarked "Our meeting in Ottawa (December 18, 1928) was the first attempt in many years to get the Catholics of Ontario of both national languages to work together for a

in both contests, Daignault and fifty-five of his followers were summarily threatened with excommunication by Hickey, and *La Sentinelle* was placed on the Church's Index.⁹⁹ In Ontario, the *Sentinellist* movement was a concern for McNeil, who feared a similar conflict

It is a misfortune that the conditions in the diocese of Providence, Rhode Island have added to the racial feeling in Canada. Few understand that whatever provocation came from the Bishop was not his "Irishism," but his desire to "Americanize" all his Catholics. There is a nationalism of the United States as well as of Ireland or France. The Bishops of the U.S. may be in too great a hurry to assimilate immigrants in the national pattern of that country...the resulting quarrel should not be allowed to influence inter-racial feeling in Canada.¹⁰⁰

McNeil and Forbes called a meeting in Ottawa for January 24, to introduce a new plan. They would create a new sub-committee of the CEC, representative of both French and English, and capable of appealing for grass-roots political support from the separate school boards in another rally at resolving the school tax question.

The new organization would be known as the Separate Schools Assessment Amendment Committee.¹⁰¹ Its first meeting was held on February 28, 1929, at which time an executive was selected representative of both the laity of the province and the Ontario hierarchy. Senator Belcourt and Toronto lawyer

common cause." See McNeil to Forbes, January 5, 1929, File "Catholic Educational Council," MG 22, AOA.

⁹⁹ *The Providence Visitor Online*, January, 2001.

¹⁰⁰ McNeil to Forbes, January 19, 1929, Archbishop Forbes Papers, File "Catholic Educational Council," 1929, MG 22, AOA.

¹⁰¹ All correspondence from the SSAAC would be produced in French and English, with corresponding notes on the activity of the committee from Belcourt and Battle. See Battle to Belcourt, January 29, 1929, Archbishop Forbes Papers, File "Catholic Education Council," 1929, MG 22, AOA.

Thomas Battle, the new Secretary of the CEC, took centre stage, and were selected to secretary the French and English sections of the Committee respectively that would

...carry on the movement to obtain an equitable division of companies' school taxes to its conclusion, and to have the direction of all effort in support of the same; this committee is to act only with regard to matters concerning assessment and taxes for schools, and of and when this question is solved, this committee will cease to function.¹⁰²

The SSAAC would act on behalf of all Catholics in Ontario, now some 600,000 strong, and send a delegation to Toronto "representative of every Roman Catholic School Board in the province."¹⁰³

Non-ecclesiastical involvement in the work of the CEC was nothing new; indeed, lay people had expressed an interest in Catholic educational advocacy almost from its inception. The Canadian Catholic Union had been formed in Toronto in 1903 in order to "stimulate Catholic intellectual life in the city and promote excellence in Catholic education."¹⁰⁴ In 1913, a group of prominent Catholic men from across the province had volunteered their services to the bishops, suggesting that the separate schools "...may have some reason to complain that they have not always received the measure of loyal and generous support which might be expected from a community so large and prosperous as

¹⁰² Battle to Forbes, January 26, 1929, File "Catholic Educational Council," MG 22, AOA. See also *The Catholic Record*, January 31, 1929, and "Circular No. 1 – Separate School Assessment Amendment Committee," February 28, 1929, in CTAP, Series 46, File 2, MSSBA.

¹⁰³ *The Ottawa Citizen*, January 25, 1929.

¹⁰⁴ Mark G. McGowan, *The Waning of the Green – Catholics, The Irish and Identity in Toronto, 1887-1922*, (Montreal and Kingston: McGill-Queen's University Press, 1999), p. 176.

the Catholics of this province.”¹⁰⁵ In the years following the Meredith Decision, McNeil began to bring the work of the CEC to the people of his archdiocese through parish campaigns that solicited the participation of lay people and their associations. Writing to a selection of businessmen in 1918, he suggested “the time has come to seek wider cooperation on the part of the Catholic laity...we need more general and more active interest in the whole work of education.”¹⁰⁶ Three years later, he was encouraging lay associations such as the Knights of Columbus, the Catholic Order of Foresters and the Ancient Order of Hibernians to promote the goals of the separate schools.¹⁰⁷ Generally unproductive, Catholic efforts at this level are significant as the starting point for the wider provincial agitation that would take place during the 1930s.¹⁰⁸

¹⁰⁵ The group consisted of prominent or wealthy Catholics from the major diocesan centres of the province, including: Mr. Justice F.R. Latchford (Toronto), Mr. J.J. Seitz (Toronto), Dr. Edward Ryan (Kingston), Mr. D. O’Connell, K.C. (Peterborough), Mr. T.J. Murphy (London), and Dr. J.F. White (Ottawa). A meeting was arranged between this group and the Ontario hierarchy to coincide with the Rev. Michael O’Brien’s consecration as Bishop of Peterborough, September 24, 1913. See “Report from F.R. Latchford and J.F. White on the Lack of Roman Catholic Educational Facilities”, September 5, 1913, Catholic Education Papers, “School Issues,” ED SC01.04, ARCAT.

¹⁰⁶ McNeil to “Dear Sir,” December 18, 1918, Catholic Education Papers, ED SO05.01 (a), ARCAT.

¹⁰⁷ “Resolution of the Provincial Convention of the Ancient Order of Hibernians,” August 16-17, “Resolution, Catholic Order of Foresters,” November 14, 1921, Meeting Minutes, Toronto Knights of Columbus, June 17, 1924, Catholic Education Papers, EDSP01.58, .62 and .63, ARCAT.

¹⁰⁸ While periodic attempts were made to better co-ordinate the work of certain lay Catholic organizations and the CEC, they failed to unite behind issues such as the school tax question, leaving them to act independently. See “Minutes of the Conference of Catholic Societies Interested in Separate School Legislation,” February 9, 1924 and February 17, 1924, Catholic Education Papers, EDSSP01 .79 and .80, ARCAT. The Knights of Columbus, with its strong regional membership, were requested to have local chapters petition Members in the different ridings throughout the province to make their grievances known. See “Meeting Minutes – Catholic Educational Council,” June 17, 1924, Catholic Education Papers, “The Separate Schools Question,” ED SP01.58, ARCAT. Brief spurts of enthusiasm for the school tax question were followed by longer periods of silence and uncertainty. This is best seen in the failure of the

The legal work of the CEC had kept the bishops in constant contact with lay people such as Toronto lawyers Thomas Battle and I. F. Hellmuth, who had represented the Catholic position in *The Tiny Township Case*. On behalf of the CEC, Ottawa lawyer W.L. Scott began directly soliciting the cooperation of a host of major Canadian corporations and utilities for voluntary divisions of their school taxes in the early 1920s.¹⁰⁹ Significant CEC legislative proposals also relied on lay initiative at the time. Correspondence from McNeil's office singles out the work of lawyer James Day in this regard. In 1922 he rallied Catholic representatives in the legislature behind a CEC bill that would give separate school boards the power of expropriation for their school properties, saving it from a certain death after second reading. In another instance, a restrictive by-law changing the definition of "restricted districts" around separate schools from allowing only single detached residences to "what the city saw as fit" was also defeated.¹¹⁰ Beyond these extraordinary efforts, the true potential for lay activism remained dormant.

Separate Schools Assessment Amendment Committee to generate interest among the separate school boards. See Walker, Catholic Education and Politics, vol. III, (Toronto: Catholic Education Foundation of Ontario, 1986), p. 2.

¹⁰⁹ One of the largest Canadian companies he approached was the Canadian National Railroad. Initially cooperative, CNR managing director Gerard Ruel eventually dodged the issue: "I had previously seen some of your church dignitaries and had promised to give the matter further consideration. Upon looking into the various statutes...we came to the conclusion that I was mistaken in my view of the law and that it really was not possible for our board to take any effective action." See Ruel to Scott, November 18 and December 9, and 19, 1924, CTAP, File 2, Series 46, MSSBA.

¹¹⁰ James E. Day to McNeil, June 1, 1922, Catholic Education Papers, ED SP01.03a, ARCAT. See also "Memo: Re Bill 227, 1922 – *An Act to Amend School Site Act By Giving Separate School Boards Expropriation Powers*," Catholic Education Papers, ED SP01.03 (b), ARCAT. In the second instance, Day notes that it was the strong advocacy on the part of his associate, Mr. Brackin that allowed the Bill to be killed after its third reading. Brackin observed in council chambers that it would allow "sectarian purposes to interfere with religious instruction."

Indeed the bishops were vexed by the problem of lay apathy in regard to the separate schools, the coffers of which were further depleted by the substantial numbers who avoided the problem of increased taxes by sending their children to the public schools. While Canon 1374 gave the Ordinary of the diocese the final word in punishing the wayward, in its (change this set up for 1920s)original interpretation it was quite draconian:

Catholic children may not attend non-Catholic, neutral or mixed schools, that is, those which are open also to non -Catholics, and...parents who neglect to give necessary Christian training and education to their children, or who permit them to attend schools where spiritual ruin is inevitable...according to Catholic moral doctrine, cannot be absolved in the Sacrament of Penance.¹¹¹

Fearing the in-roads of secularism and modernism among the faithful, conservative Archbishop Denis O'Connor ultimately resigned from the See of Toronto after failing to maintain standards of orthodoxy and orthopraxy by reverting, with little success, to such ecclesiastical sanctions.¹¹² In London, Bishop Fallon issued a circular letter in 1927 to his parish priests, directing them to invoke the "usual penalties" for those who "...unreasonably refuse to support separate schools by sending their children [to the public schools] and who by paying their taxes in their favour are not worthy of the sacraments."¹¹³ Pastoral Letters from the Archbishop of Ottawa and the Bishop of Hamilton in 1929 and

See James E. Day to McNeil, April 11, 1922, Catholic Education Papers, "School Issues," ED SC01.31, ARCAT.

¹¹¹ Bouscara and Ellis, Canon Law, pp. 744-746.

¹¹² Mark G. McGowan, "The Catholic 'Restoration': Pope Pius X, Archbishop Denis O'Connor and Popular Catholicism in Toronto, 1899-1908," Historical Studies, The Canadian Catholic Historical Association, vol. 54, 1987.

1931 both cited Canon 1374 in their demand that Catholics send their children to separate schools.¹¹⁴

However it was Premier Ferguson, himself, who eventually had the greatest impact on transferring the work of the CEC to the laity. Meeting with a CEC delegation in the fall of 1928, he stated his unwillingness to support any amended legislation for Catholics, whom he considered to be politically lethargic and generally unsure as to their level of commitment to the separate schools.¹¹⁵ Uniting and educating Catholics was a monumental undertaking that the bishops had largely forgone up until now in favour of supporting legal cases and direct legislative appeals. While public rallies and speech making had localized Catholic interest around isolated events in the 1920s, lacklustre attempts by the bishops to educate and inform the laity had not been nearly as successful.¹¹⁶ For

¹¹³ Bishop Fallon Papers, "Fallon – Circulars to Parish Priests/Correspondence," August 23, 1927, Diocese of London Archives, (hereafter DLA).

¹¹⁴ *The Ottawa Journal*, February 18, 1929. See also *The Canadian Freeman*, February 28, 1929 and Bishop J. McNally, "Pastoral Letter on Education, From the Bishop of Hamilton to the Clergy and the Faithful of His Diocese" in *The Catholic Voice*, vol. 1, no. 7, September, 1931. Over time, the canon was substantially refined and abbreviated to: "One who joins an association which plots against the Church is not to be punished with a just penalty; one who promotes or moderates such an association however, is to be punished with an interdict." See *Codex Juris Canonici*, (Neo-Eboraci: P.J. Kennedy, 1918).

¹¹⁵ McNeil (handwritten documents) "Notes from Meeting with Ferguson" and "Separate School Centres in Ontario on the Lines of the C.P. Railway," CTAP, File 13, Series 46, MSSBA.

¹¹⁶ Focusing his attention on the taxes of larger Canadian corporations, McNeil compiled a list of the separate school regions in the province reached by the Canadian Pacific Railway, and presented this as food for thought when speaking to influential groups such as the Toronto District Trades and Labour Congress. See McNeil (handwritten document) "Separate School Centres in Ontario on the Lines of the C.P. Railway," CTAP, File 13, Series 46, MSSBA. McNeil quoted liberally from the statements of Sir Henry Thornton's speeches on the need to partner labour with industry as a strategy to revisit the claims of Catholics in the tax issue. (See *The Mail and Empire*, September 10, 1929). A series of booklets designed to educate and inform lay Catholics had been published in the 1920s in the name of the CEC. See "Denominational Schools in British Canada: No. 1: 1763-1841," (Toronto: The Catholic Educational Council, undated), Catholic Education Papers, ED PB01.01 (a), ARCAT. They even commissioned a three-act play that highlighted, through various dialogues between teachers, parents and

the Ontario hierarchy, the Separate School Assessment Amendment Committee would hopefully broaden the appeal of their CEC. Attention for its cause came almost immediately in February of 1929. A petition had been placed before the Private Bills Committee at Queen's Park asking approval for a fixed assessment on the new Ambassador Bridge in the largely Catholic Town of Sandwich, Ontario. It would see taxes divided equally between the public and separate boards. The province feared establishing a precedent for the other public utilities in the province, yet the facts of the case bore out how critical it was to the SSAAC's objectives. In an interview with *The Mail and Empire*, the Secretary of the Bridge Company, Charles McTague, noted that "fully 95% of the common stock of the Bridge Company is owned by Roman Catholics, but...it had been felt that as the Bridge is a public utility it would be fairer to all if an even division of taxes between public and separate schools were made."¹¹⁷ The SSAAC took a middle ground position in the case, sending a delegation to Toronto to ask that the school taxes here be divided equally between the public and separate boards.¹¹⁸ The Orange Lodge in particular saw this as a dangerous exception to the practice of fixing all such assessments for the support of the public schools.¹¹⁹ Province-wide media attention to this latest fallout from *The*

students, the complexities of the school tax question. See "The Separate School Question," Catholic Education Papers, EDSP01.202, undated – 1920s, ARCAT.

¹¹⁷ *The Mail and Empire*, March 1, 1929. McTague, a prominent Catholic lawyer from Windsor, was also a strong Conservative.

¹¹⁸ Battle to McNally, March 8, 1929 in "The Separate School Question," Catholic Education Papers, ED SP01.05, ARCAT. W.H. Price was the Attorney General and the Chair of the Private Bills Committee. Ferguson was ill, and unable to attend the sessions dealing with the Ambassador Bridge Case.

Assessment Act did little to rally the faithful to the cause. The petition was allowed to die in committee at the request of the premier, lost in the mire of French Catholic relief with the Merchant-Scott-Coté Report recommendation that the province abandon Regulation 17 and Ferguson's vague promises to still do something for Catholic schools.¹²⁰

The failure in the Ambassador Bridge Case foretold the demise of the SSAAC, as well as boding poorly for any future resolution to the school tax question. The case was heralded in SSAAC propaganda as a rallying point from which school boards should focus in formulating their petitions, yet even this proved disappointing. Requests for petitions had been sent to the province's five hundred and eighty separate school boards, yet the number of responses was unconvincing to anyone as to the degree of Catholic support for the plan.¹²¹ Lacking the numbers to make a united petition to the government, Battle concluded by March of 1929 that the SSAAC faced an uphill battle for legislative

¹¹⁹ The pro-Orange *Telegram*, voiced its opposition to the request, fearing it to be the "thin edge of the wedge. Innocuous on the face of it but scorpion-like carrying the sting in its tail, what is felt to be a deliberate attempt to upset the school laws of the province so far as they apply to separate school administrators, is contained in the Town of Sandwich Bill now before the Private Bills Committee for consideration." See *The Toronto Telegram*, February 28, 1929.

¹²⁰ According to the records of the Separate School Assessment Amendment Committee, the Bill was dropped "...at the personal request of the Premier for the reason that conditions at present were too disturbed consequent upon the abolishment of Regulation 17." In other words, after adhering to the recommendations of the Merchant-Scott-Cote Commission regarding the French language schools, Ferguson was no longer willing to negotiate further "concessions" to the separate schools. See "Separate School Assessment Amendment Committee – Circular No. 6," March 20, 1929, Bishop Fallon Papers, MFF1/3/36, DLA.

¹²¹ As of May 21, 1929 only 274 of the separate boards in total had responded to the request for petitions. Of the 312 Boards listed as Bilingual, (33 urban, 279 rural) 152 had replied (26 urban and 126 rural). The numbers were even less convincing for the English side: of the 240 Boards listed as English speaking (86 urban, 154 rural), 122 had sent in their petitions signed (56 urban and 66 rural). See Battle to McNally, May 31, 1929, Bishop McNally Papers, Diocese of Hamilton Archives (hereafter DHA).

action.¹²² With further prodding from the Ontario hierarchy, petitions from throughout the province continued to trickle in, causing Battle to remark in despair: "can it be possible that any separate school board is not in favour of our separate schools receiving an equitable share of school taxes?"¹²³ It eventually took more than two years before 470 petitions were presented to the government on behalf of the SSAAC.¹²⁴

All through the work of the SSAAC, however, concerns continued to mount for the deleterious effects of the tax question. In London, Bishop Fallon reflected a sense of despair for the separate schools in his diocese, writing to the Apostolic Delegate to Canada

We have a growing Catholic population here – large numbers of schools and churches to be built. And although the people are generous in their donations, without the proper tax support our schools - especially in the Windsor area - are left heavily in debt – making it less feasible to continue with further building/expansion.¹²⁵

¹²² In an SSAAC circular, Battle concluded that the poor return of school board petitions made bleak the possibility of convincing even Catholic Members to help in the cause: "I have had quite a number of interviews with the Catholic members of the Government side in the matter of their taking part...but I have to report that none of them see their way clear to speaking to this matter in the House." See Separate Schools Assessment Amendment Committee– Circular No. 6, Archbishop Forbes Papers, File "Separate School Assessment Amendment Committee," March 20, 1929, MG 22, AOA.

¹²³ "Separate School Assessment Amendment Committee Circular 7," June 10, 1929, CTAP, File 2, Series 46, MSSBA.

¹²⁴ The petitions were presented by Louis Cote, the Conservative Member from Ottawa East. See *The Catholic Record*, April 16, 1931.

¹²⁵ "1928-Draft", Bishop Fallon Papers, HF 5a/FF1/140, Drawer 1, DLA. See also Michael Power, "The Mitred Warrior: A Critical Reassessment of Bishop Michael Francis Fallon, 1867-1931" in *Catholic Insight*, vol. VIII, no. 3, April, 2000, pp. 18-26. See also, Robert Choquette, *Language and Religion: A History of English-French Conflict in Ontario* (Ottawa: University of Ottawa Press, 1975) and Margaret Prang, "Clerics, Politicians and the Bilingual Schools Issue in Ontario, 1910-1917," pp. 85-111, in *Canadian Historical Readings No. 7*, *Canadian Historical Review*, Toronto, University of Toronto Press, 1969. As the bitter Catholic-Protestant dispute over separate schools raged into the 1920s, Bishop Fallon penned a seething "Open Letter to the Members of the Ontario Legislature" on the matter of the "School Tax

Concern was also fomenting within the ranks of the laity. In January of 1928, Thomas Nottingham of Midland, Ontario presented McNeil with a petition representing “70% of the Midland Catholics” who could not afford the higher property taxes that would inevitably follow with the proposed construction of a new separate school there.¹²⁶ In Hamilton the complaints were much the same, and questions as to the future viability of the separate schools were beginning to arouse parish councils to the plight of their severely disadvantaged educational system. Addressing a gathering at St. Mary’s pro-Cathedral in 1932, William C. Walton gave a “clear and vigorous exposition of the claims of separate schools to a more equitable share of corporation school taxes.” He explained the remarkable increase in corporate assessments experienced by Hamilton since Confederation. In 1866 they amounted to \$20,152,168 with a population of 41,280, as opposed to \$169,835,370 from a population of 150,065 in 1930 – four times the population but over eight times the assessment.¹²⁷ While McNeil responded that the faithful were “free to express their opinions for or against,” he recognized that lay Catholics needed to be brought together to resolve the funding inadequacy posed by *The Assessment Act*, noting “it weakens our

Question,” in which he queried “Among your number, Honourable Gentlemen, I have several acquaintances, some friends and a few old school fellows. Have I figured you out all wrong? I am asking no favours. I am seeking only justice and fair dealing in matters educational for the children of my people. Thousands of them are suffering from partial intellectual famine; their future success as citizens of this Province is being compromised.” See CTAP, “Bishop Fallon – Open Letter to Ontario Legislature, 1921”, File 2, Series 46, MSSBA. The next year he gave a three-hour speech at Massey Hall in Toronto on “The Constitutional Position of Separate Schools.” See *The Catholic Register*, February 16, 1922 and Franklin Walker, *Catholic Education and Politics*, vol. 1, p. 347.

¹²⁶ Petition and Letter, Thomas Nottingham to Fr. Mahoney, Archbishop’s Palace, January 18, 1928, Catholic Education Papers, EDSP01.27, ARCAT.

cause to have a fractious minority hampering the exercise of our legal rights.”¹²⁸

If the work of men like Battle and Scott, or the various efforts of the CEC and its SSAAC were any indication, lay Catholics were being raised to action and awareness in regard to the school tax question. But the question remained, how was this to be harnessed?

¹²⁷ *The Catholic Voice*, May, 1932, vol. 12, no. 3, p. 9.

¹²⁸ McNeil to Parish Priests in the County of Simcoe, 1928, undated, Catholic Education Papers, ED SP03.03 (a), ARCAT.

Chapter Two

"Auxiliary Soldiers of the Church"

The Catholic Taxpayer's Association

Premier Ferguson's assessment had proven accurate: Catholics, although burdened with generally higher mill rates and grossly inadequate supplies and facilities for their children's schools, seemed unwilling to support their own campaign that proposed to bring much needed relief. In this chapter I will present the alignment of the school tax campaign with the papal call for the laity to participate directly in social and economic reform in the world through "Catholic Action." While Catholic Action or Social Action movements had existed previously in Canada and even in the Archdiocese of Toronto, its connection to educational issues would be unique. Led by Martin J. Quinn, the Catholic Taxpayer's Association marked not only the first fully autonomous lay movement in Canada, but the successful merging of Catholic Action with the perennial problem of the school tax question.

The final attempt by the bishops to cooperate with the laity proved no more successful than the original work of the CEC. The Ontario Catholic Educational Association was introduced during the April, 1929 sessions of the Ontario Educational Association.¹ With the full support of the Ontario hierarchy and the ACFEO, the OCEA would seek official recognition as a member of the

¹ Battle to McNally, May 2, 1930, Bishop McNally Papers, File "Ontario Catholic Educational Association," DHA.

OEA within the year. Outlining the ultimate strategy behind creating the new organization, Thomas Battle observed

This move was decided upon with the approval of His Grace, the Archbishop of Toronto, and with the idea that we should assert the status of our separate schools to be part of the Provincial system of education, that we might, through our membership in the OEA, obtain a favourable forum, as opportunity occurred, to explain our case; that we might find or make some friends among the very large membership of that Association, and perhaps secure some support therein for a Petition to the Government.²

An executive composed entirely of prominent lay Catholics, both French and English, was selected at its inaugural meeting in Toronto. They committed themselves to organizing trustees, teachers, inspectors, ratepayers and the clergy around an effective assault on the school tax question.³

The failure of the SSAAC was clearly on the minds of the OCEA executive as they distributed a circular letter outlining their plan to “inaugurate an active campaign for the purpose of enlisting into its membership all of the Roman Catholic Separate School Boards of the province.”⁴ Operating as a distinct entity, the OCEA did owe fealty to the bishops and Secretary-Treasurer E.C. Desormeaux clarified: “no effort will be spared by us, and our efforts will always

² Battle to Forbes, October 7, 1930, Archbishop Forbes Papers, File “Catholic Taxpayer’s Association,” MG 22, AOA.

³ Battle to Forbes, December 16, 1929, Archbishop Forbes Papers, File “Separate School Assessment Amendment Committee,” 1929, MG 22, AOA. Included were President C.J. Driscoll (Toronto), Vice President J.N. Englert (Toronto), Secretary-Treasurer E.C. Desormeaux (Ottawa) and Directors F.J. Kehoe (Timmins), Thomas F. Battle (Toronto), Dr. V.A. Marsh (Kingston) and Dr. D. St. Pierre (East Windsor). See also Circular, “To Separate School Boards,” Ontario Catholic Educational Association, January 1, 1930, Bishop McNally Papers, File “Ontario Catholic Taxpayer’s Association,” DHA.

⁴ Desormeaux to McNally, February 3, 1930, Bishop McNally Papers, File “Ontario Catholic Educational Association,” DHA.

be subordinate to the wishes and sanctions of the Ecclesiastical Authority.”⁵

Pledges and good intentions though did not prove fertile ground for this movement, and the OCEA, like its predecessors, failed to generate interest. As had been the case with the SSAAC, the plan of raising public awareness to the funding plight of the separate schools by advancing strategic legal cases proved fruitless. In the fall of 1930, their attention was drawn to an Injunction Motion heard at Osgoode Hall on the application of M.J. O'Brien Limited, a mining company, against the Township of Coleman, in respect to the company's notice to have 95% of its education taxes allocated to the separate schools.

Problematic here was that substantial numbers of Catholics were employed by the mine who lived in the neighboring Town of Cobalt and supported the local separate school. In the end, the OCEA abandoned plans to publicize the "O'Brien Mines Case" across the province due to fears that the call to redirect assessments would have necessitated a revision to *The Separate Schools Act*, something the premier had already discounted as a possibility.⁶ The public schools of Coleman were reconfirmed as the appropriate recipients of taxes derived from the mines. By 1934, the OCEA would be operating under Desormeaux's leadership as the Ontario Separate Schools Trustees Association.⁷ Its demise as an active lobby had, in reality, already been sealed

⁵ Ibid.

⁶ Battle to McNeil, October 7, 1930, Catholic Education Papers, ED SP01.07, ARCAT.

⁷ Walker, *Catholic Education and Politics*, vol. III, p. 2. While Walker correctly refers to the OCEA's eventual transformation into the OSSTA, correspondence between the Ontario Bishops in 1930 indicates that they originally had intended it to be, like the SSAAC, an agitation capable of raising awareness of the financial plights of the separate schools.

by the time Battle and Senator Belcourt presented a petition of proposed changes to *The Assessment Act* to the premier on January 21, 1930. While cordial, Ferguson, who was soon to leave for his post as High Commissioner to England, announced that no new legislation would be presented during the current session of the legislature.⁸

The Catholic campaign had essentially ground to a halt by 1931. To this point, however, much had been learned. A successful agitation would have to synchronize an amalgam of ecclesiastical, linguistic, lay and non-Catholic considerations. Propitiously timed to help achieve this goal was the May 15 release of the Pope Pius XI's Encyclical Letter, *Quadragesimo Anno*. It sought to remind Catholics of their special responsibility to participate in bringing social and economic justice to a world mired in the effects of the Great Depression. The letter commemorated the fortieth anniversary of *Rerum Novarum*, Pope Leo XIII's response to similar challenges that were the result of the urban-industrial phenomenon of the nineteenth century. Like its predecessor, *Quadragesimo Anno* decried capitalist-driven materialism and returned the emphasis for a renewal of Christian values to the laity:

We are now confronted, as more than ever before in the history of the Church, with a world that in large part has almost fallen back into paganism. That these whole classes of men may be brought back into Christ, whom they have denied, we must recruit and train from among them, themselves, auxiliary soldiers of the Church who

⁸ Battle to Forbes, January 30, 1930, Archbishop Forbes Papers, File "Catholic Taxpayer's Association," MG 22, AOA. Peter Oliver feels that Ferguson, had he stayed in office, may have done more for Catholics: "Perhaps he would have found a way to manage important concessions. However, with his resignation later that year, the negotiations became the responsibility of his successor, George Henry, with results which were disastrous for the Ontario Conservative Party." See Oliver, *G. Howard Ferguson*, p. 333.

know them well and their minds and wishes and can reach their hearts with a tender, brotherly love.⁹

Together, these Encyclicals provided a formidable basis for direct lay ownership of the Church's social mandate. One such initiative was the resurgence of emphasis on the movement known as Catholic Action, or the "lay apostolate" in the work of reaffirming the social order.¹⁰ Varying "according to country and need," Catholic Action groups had taken off in a number of directions following the release of *Rerum Novarum*.¹¹ In Italy, a host of lay charitable organizations were grouped together under the papal umbrella as the *Opera dei Congressi*, and involved themselves in work ranging from organizing youth groups and trade unions to the more traditional corporal works of mercy. Canadian Catholic Action manifested itself in similar efforts. The *Association catholique de la jeunesse canadienne-française*, founded by Lionel Groulx and Emile Chartier, and the *Jeunesse étudiante catholique* and *Jeunesse rurale catholique* were early examples in the province of Quebec.¹²

The overt politicization of Catholic Action groups in Europe by the twentieth century, mostly movements towards Christian democracy in Italy and

⁹ Pope Pius XI, *Quadragesimo Anno*, (1931), Section 141.

¹⁰ In point of fact, the encyclical reads: "...Our beloved sons engaged in Catholic Action, who with a singular zeal are undertaking with Us the solution of the social problems in so far as by virtue of her divine institution this is proper to and devolves upon the Church. All these we urge in the Lord, again and again, to spare no labour and let no difficulties conquer them, but rather to become, day by day, more courageous and more valiant. Arduous indeed is the task we propose to them, for We know well that on both sides, both among the upper and lower classes of society, there are many obstacles and barriers to overcome." See *Quadragesimo Anno*, Section 138.

¹¹ Brian F. Hogan, csb, "Salted With Fire: Studies in Catholic Social Thought and Action in Ontario, 1931-1961," (Ph.D. diss., University of Toronto, 1987), p. 14.

France, made Rome wary of lay autonomy. Pius X's 1904 Encyclical *Il Fermo Proposito* established a new mandate, highlighting lay evangelism as essential to the life work of the Church, as long as it submitted itself "to the advice and superior direction of ecclesiastical authority."¹³ Beginning in the 1920s, Mussolini's interference in the work of Italian Catholic Action groups as part of a larger plan to involve all youth movements in the work of Fascism prompted another call for submission to the Church's central control.¹⁴ In 1922, the pope placed loyalty to Church over national interests by re-affirming Catholic Action as "the participation of the laity in the apostolate of the Church's hierarchy."¹⁵ As Rome struggled to encourage yet control lay initiative, the intractable nature of Catholic Action continued to make it a source of papal concern in the 1930s. In a letter to the Archbishop of Bogota, Columbia, Pius XI addressed the movement in the struggling democracies of South America. Stating "Catholic Action being outside and above politics, [it] cannot assume any responsibility of a political or an economic character. Nor can it be suffered to submit to the varying

¹² Lelotte, sj, *Fundamental Principles of Catholic Action*, p. 41.

¹³ Pope Pius X, *Il Fermo Preposito*, (1904). Successive attempts to define the work of Catholic Action also focussed on this goal of motivating lay-people to work under the complete direction of the Church. One such definition reads: "In a more restricted sense...Catholic Action means apostolic activity carried on by organizations of the laity for the assistance of the Hierarchy, at the special mandate of the Hierarchy and in direct dependence on it." See Jeremiah Newman, *What is Catholic Action? An Introduction to the Lay Apostolate*, (Dublin, Ohio: M.H. Gill and Sons Ltd., 1955), p. 37.

¹⁴ Examining the decade between 1900-1910, Antonio Gramsci likened Christian democracy, encompassing within it the work of Catholic Action, to Mussolinism as "the two most outstanding products of the period...he (Mussolini) replaced the alliance between bourgeoisie and workers with an alliance between bourgeoisie and the Catholics, who represented the peasant masses of Northern and central Italy." See David Forgacs, ed., *An Antonio Gramsci Reader*, (New York: Shocken Books, 1988), p. 176. See also Pope Pius XI, *Concerning Catholic Action*, June 29, 1931.

¹⁵ Pope Pius XI, *Urbi Arcano Dei*, (1922).

transmutations of Parties,” he was responding to the Marxist class analysis being adopted by a South American Church grappling with a host of justice-related issues that would later blossom into the “Theology of Liberation.”¹⁶ Abbé Groulx especially tested the political capacities of Catholic Action in Canada at this time, leading to his unofficial ordination as the “father of modern Quebec separatism.” A teacher, writer and editor of the nationalistic *l’Action française*, Abbé Groulx brought the sense of militant activism he took from his reading of *Rerum Novarum* to an enthusiasm for French Canadian nationalism. Fiercely loyal to the papal mandate, he “sought above all else a state which would “ordonner...l’activité économique au bénéfice de la collectivité, décide à ne pas laisser dévaluer le patrimoine national.”¹⁷

Owing largely to its minority Catholic population, Catholic Action was not regularly discussed in the province of Ontario until the 1920s. In his assessment of the religio-political climate of English-speaking Canada at this time, Gregory Baum refers to a dynamic of “social cohesion” at work here. Co-religionists were brought together not out of a sense of obedience or “spiritual monopoly” as in the

¹⁶ “Pope Pius XI to The Archbishop of Bogota,” reprinted in *The Canadian Freeman*, June 21, 1934. Liberation Theology describes a contemporary theological movement growing out of the Church in Latin America, taking direct aim at resolving issues relating to the poor. In its analysis of the causes of poverty, it often divides society into economic classes and advocates violence as being necessary for change. Pope John Paul II issued two reports on Liberation Theology through the Congregation for the Doctrine of the Faith: *Instruction on Certain Aspects of the Theology of Liberation* (1984) and *Instruction on Christian Freedom and Liberation* (1986). Together these, while in sympathy for the severe problems experienced by severe economic and political instability in South America, express serious reservations for several aspects of the movement for Liberation Theology, including its overt politicization.

¹⁷ Phyllis Senese, “CATHOLIQUE D’ABORD: Catholicism and Nationalism in the Thought of Lionel Groulx,” *Canadian Historical Review*, (June, 1979), p. 175.

more established Church of Quebec, rather

They honoured priests and bishops as their spokesmen in a hostile environment. Catholics were willing to follow the directives of the hierarchy. Yet this ready obedience was not an attitude of submission to the powerful as it might have been in Quebec; it was rather an expression of solidarity with the Catholic community and the affirmation of Catholic identity in a Protestant land with a Protestant ruling elite.¹⁸

Perhaps resulting from the fact that it had always been mired in a world of overt and covert politics, historians of “social Catholicism” in Ontario have avoided linking the school tax question to this sense of “community,” highlighting less obvious undercurrents of activity. In her study of depression-era Toronto, Jeanne Beck focuses on the work of “educators and activists,” addressing issues ranging from the proper integration of new Canadians into the urban setting to the development of a socially responsible Catholic press. She relegates separate-public education to another sphere, noting “with few exceptions, Catholics remained aloof from public affairs unless their educational rights were threatened.”¹⁹ Brian Hogan exposes a similar period of foment at work in the province from 1931 to 1961 in both “ivory tower and grass roots,” through the Pope Pius XI Labour School at Assumption University in Windsor, and the initiation of a Catholic ‘back to the land’ movement in Depression-era Toronto.

¹⁸ Gregory Baum, Catholics and Canadian Socialism, (Toronto: Lorimer Press, 1980), pp. 137-138.

¹⁹ Jeanne R. Beck, “Contrasting Approaches to Catholic Social Action During the Depression: Henry Somerville the Educator and Catherine de Hueck the Activist” in Mark G. McGowan and Brian Clarke eds., Catholics at the “Gathering Place”: Historical Essays on the Archdiocese of Toronto, 1841-1991, (Toronto: The Canadian Catholic Historical Association, 1993), p. 214. See also Jeanne Beck, Henry Somerville and the Development of Catholic Social Thought in Canada: Somerville’s Role in the Archdiocese of Toronto, 1915-1943, (Ph.D. diss., McMaster University, 1977).

For Hogan these present a brand of social action marked by antipathy to the political realities in which the school tax question was clearly absorbed:

Altogether, the expressed opinion of most Catholics in Ontario focused on the abhorrence of the persecution of co-religionists abroad under totalitarian ideologies of Fascism and Communism, while looking for some reform of the economic life of Canadian society which would be less statist.²⁰

The impetus for viewing the school tax question from the perspective of the social mandate of the Church then is connected to the same spirit of activism and participation that marked this period of turmoil and change.²¹

A common thread for the work of both Beck and Hogan is the pioneering role played by Neil McNeil in bringing social and economic justice to these troubled times. A strong disciple of Leo XIII, McNeil had allied himself with Catholic activism throughout the course of his priesthood. As Rector of St. Francis Xavier University in Nova Scotia, he anticipated the work of the "Antigonish Movement" of the 1930s, speaking out against the economic exploitation of local fishermen.²² Appointed to the See of Toronto in 1912, he sponsored and guided a host of other activities, including the accommodation of

²⁰ Hogan, "Salted With Fire," p. 26.

²¹ In making arguments for social activism from "above and below," Hogan's goal is to establish the very positive reception of the social encyclicals in Ontario through the work of reformers and movements: "The decennial anniversary of the papal encyclicals occasioned statements and pastoral letters advocating greater adherence to these teachings. These documents gave direction to the implementation of the social marriage of the encyclicals, and legitimized and publicized the social action initiatives of Catholics throughout the country." See Hogan, "Salted With Fire," p. 39.

²² The "Antigonish Movement" was a social action and education movement originating in 1930 at St. Francis Xavier University in Antigonish, Nova Scotia by Fathers Moses Coady and James Tompkins. Its goal was the organization of trade unions, cooperative retail stores, and credit unions in order to empower local fishing communities who were being exploited by large

new Canadians provided for by the Catholic Church Extension Society, and the creation of a new order of missionary nuns, the Sisters of Service, who would be influential in the settlement of displaced people in Ontario and western Canada.²³ Acting on his vision of a strong religious press that promoted the need for greater lay participation in the affairs of both Church and state, McNeil recruited Catholic labour advocate Henry Somerville from England to write for the *Catholic Register* in 1916.²⁴ In his regular column entitled "Life and Labour," Somerville urged the development of a new class of educated Catholic leaders who would be better positioned to involve themselves in politics and business, and bring attention to social and economic problems.²⁵ Jeanne Beck has referred to their relationship as reciprocal, and that Somerville greatly inspired the prelate: "His greatest influence was on Archbishop McNeil, whose belief in the necessity for Catholic Social Action was fortified by Somerville's practical attempt to lay the groundwork for post World War I Toronto."²⁶

corporations. See M.M. Coady, Masters of Their Own Destiny, (New York: Harper and Brothers Publishers, 1939).

²³ Mark G. McGowan, "Toronto's English-Speaking Catholics, Immigration, and the Making of a Canadian Catholic Identity, 1900-1930," in Terrence Murphy and Gerald Stortz, eds., Creed and Culture: The Place of English-Speaking Catholics in Canadian Society, 1750-1930 (Montreal and Kingston: McGill-Queen's University Press, 1993) and Jeanne Beck, "To Do and Endure": The Life of Catherine Donnelley, Sister of Service, (Toronto: Dundurn Press, 1997).

²⁴ Beck exposes a clear disdain for "political Catholicism" in Somerville: "(he) believed that in a religiously pluralist society, such as Canada, Catholics could better achieve their social goals by equipping themselves for leadership roles in secular political parties and unions, rather than forming exclusive Catholic unions and parties, as had been the case in Europe." See Beck, "Contrasting Approaches to Social Action," p. 216.

²⁵ Beck also notes that Somerville made early forays into the world of ecumenism that would not be a real Catholic mandate until after Vatican II: "Somerville...softened the *Register's* defensive stance towards encounters with Protestants and urged Catholics to participate in non-denominational activities and to co-operate more with Protestant groups in social service work." See Beck, "Contrasting Approaches to Social Action," p. 217.

In the wake of *The Tiny Township Decision*, McNeil, by far the most outspoken member of the CEC, gained resolve in his attempt to amend *The Assessment Act* from the release of *Quadragesimo Anno*. When he and Archbishop Forbes met again on May 26, 1931, they were inspired to radically alter the course of the agitation. Concluding on "...the immediate necessity of forming public opinion," they agreed on start-up and publicity costs for a new campaign in the amount of \$10,000.²⁷ McNeil then took the lead in promoting a drive for Catholic Action, inviting

...Their Lordships, the Bishops of the Province, who might have associated with them one or two laymen of distinction in their respective dioceses. This would be the means of advancing more rigorously a campaign on which depended the well being of our Catholic Schools in Ontario. It is fitting also to create a.s.a.p. parochial circles to study our school problem and to instruct the public better on the nature and justice of demands we are now making at the hands of the provincial government.²⁸

The feverish work of educating and organizing lay people would start in earnest that fall.²⁹ The final meeting of the SSAAC on November 19 began what had

²⁶ Beck, "Contrasting Approaches to Social Action," p. 218.

²⁷ Meeting Minutes, Separate Schools Assessment Committee, May 26, 1931, CTAP, File 6, Series 46, MSSBA. McNeil, Forbes and Belcourt all met in Ottawa May 26, 1931 to agree to this \$10,000 cost. Mr. Battle, certainly the workhorse behind the English section of the SSAAC, was unable to attend due to what was referred to in the minutes as "severe financial embarrassment." The truth here was revealed weeks before in private correspondence between Battle and Forbes, foreshadowing the financial difficulties that the next leading layman, Martin Quinn would experience at the hands of the Ontario hierarchy: "Unfortunately for me the Bishops have let the salaries agreed to be paid to me get into arrears (\$2,670.00) and as a result I find my finances so limited I cannot afford the expense at present." See Battle to Forbes, April 10, 1931, Archbishop Forbes Papers, File "Catholic Taxpayer's Association," 1931, MG 27, AOA.

²⁸ While not formally functioning in this regard as such, the bishops called this meeting under the name of the last organization with which they had been directly linked – the Separate Schools Assessment Amendment Committee. See Meeting Minutes, Separate Schools Assessment Committee, May 26, 1931, CTAP, File 6, Series 46, MSSBA.

²⁹ McNeil to Forbes, November 6, 1931, Archbishop Forbes Papers, File "Catholic Taxpayer's Association," MG 22, AOA.

been suggested the previous spring, with all present agreeing to the need to create a new organization which would cover the province through east-west regional committees, both under ecclesiastical auspices.

Frustrated in his near twenty-year effort to bring a sense of economic justice to the province's separate schools, McNeil had actually been contemplating a lay organization for some time. In February he confessed to Michael O'Brien, the Coadjutor Archbishop of Kingston, that the idea had actually been first suggested by Sydney Tweed, the Protestant MLA from Waterloo County. The president of a successful life insurance company, Tweed impressed McNeil with the frankness of his business approach to the school tax question during the course of an informal two-hour discussion.³⁰ The archbishop was now inspired to remove the visible face of the Ontario hierarchy, the focus of public acrimony in all previous campaigns, from "...being made the target of the unfair and unjust attacks of the opponents of our schools."³¹ The directives from *Quadragesimo Anno* that spring endorsed the new paradigm McNeil envisioned as having the most merit:

It is chiefly your duty, Venerable Brethren, and of your clergy, to search diligently for those lay apostles...to select them with prudence, and to train and instruct them properly...Especially it is necessary that those whom you intend to assign in particular to this work should demonstrate that they are men possessed of the

³⁰ McNeil recalled Tweed directing him to "take the people into your confidence. Show them how short your schools are financially from taxes and grants and how much you spend on them out of Church funds. Mr. Tweed...is more than a politician. He is a successful businessman. It would mean some work to act on his advice." See McNeil to O'Brien, February 20, 1931, Archbishop O'Brien Papers, File "1931- M, Mac," Archdiocese of Kingston Archives (hereafter AKA).

³¹ "Meeting Minutes – Separate Schools Assessment Amendment Committee, November 19, 1931," Archbishop Forbes Papers, File "Catholic Taxpayer's Association," MG 22, AOA.

keenest sense of justice, who will resist with true manly courage the dishonest demands or the unjust acts of anyone.³²

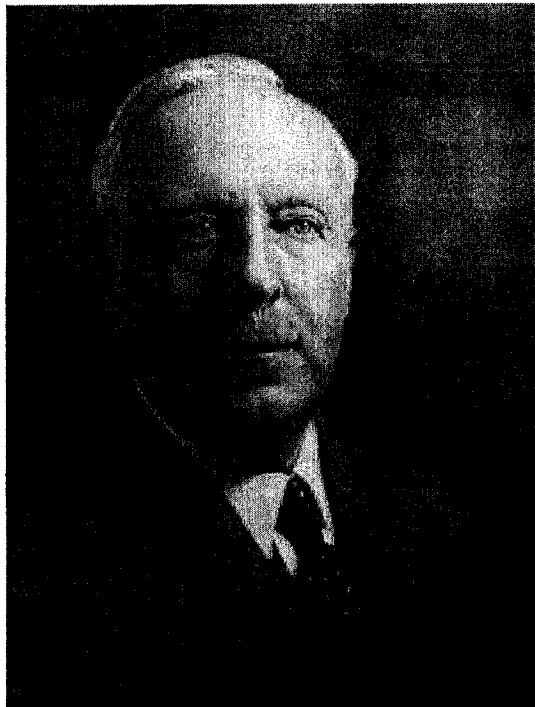
For him, that man would be Martin J. Quinn, and the campaign he would lead would be the most successful lay agitation in Ontario's history: the Catholic Taxpayer's Association.

Martin Joseph Quinn was born near Ganonoque, Ontario, on August 31, 1874, the eldest child of Thomas Quinn and Cecilia Fraser, second generation Ontarians of Irish-Scottish heritage.³³ Thomas was a bursar for the Canadian Pacific Railway, while his wife cared for the burgeoning family that would see nine more children born over the next sixteen years. By 1891, the Quinns resettled in Toronto where, by the age of seventeen, Martin was already a skilled plumber.³⁴ Extensive experience in the trade during the city's growth period at the turn of the century saw him involved in numerous large-scale construction projects, including the building of what is now Toronto's Old City Hall. Bent on independence, Quinn created The National Equipment Company Limited in 1912, which he was quickly able to transform into a lucrative supplier of both residential and commercial plumbing and heating equipment. It specialized in the manufacture and sale of boilers, pipes and "Q" foot valves, all produced at the company's headquarters at 12 Wabash Avenue, in the west end of the city.

³² Pope Pius XI, *Quadragesimo Anno*, (1931), Section 142.

³³ Baptismal Register, St. Philomenia Roman Catholic Church, Howe Island, Ontario. This information is taken from the Quinn Family Papers

³⁴ Census of Canada, 1891, Ontario, District No. 119, Toronto West, St. Mark's Ward.



Martin Joseph Quinn, 1874-1949
(Photo courtesy of the Quinn family)

A multi-millionaire by his forties, he and his wife Anna were parents to nine children, and enjoyed an active social life which included membership in the Toronto Horticultural Society, the Empire Club and the Toronto Board of Trade. Despite his intense Catholic faith and active participation in Toronto's west-end parish of St. Cecilia's, Quinn's disdain for "secret societies" had led to his refusal to join the Knights of Columbus. The death of their eldest son, Gordon, at Vimy Ridge in the First World War forever changed the Quinns. Martin and Anna became increasingly insular, limiting their once active social lives, and devoting almost all of their time to family, and excursions to their cottage at Cedar Beach, located on the east shore of Lake Simcoe near Beaverton.³⁵

In declining health, Quinn took time in 1945 to reflect on the period of his involvement as the seminal figure of the school tax question during the 1930s. Discussing how he had first entered the cause, Quinn recalled that he had been invited to an informal meeting with Neil McNeil at the archbishop's residence at Head Wellesley Place in order to discuss his recent dispute with the George Weston Company

It happened that I owned a block of stock in a Toronto Corporation (which cost me some \$92,000.00) and it occurred to me that it was my simple duty to request that the taxes on that amount of stock should be paid to the Toronto Separate School Board...I did this with considerable confidence because I was personally acquainted with several of the directors, but much to my surprise I found my very just request received very coldly, and it, as the correspondence subsequently...shows, was finally flatly refused.³⁶

As was the case with most Ontario corporations, Weston directed its educational assessments, by default, to the support of the public schools. Quinn doggedly pursued its board of directors until the necessary resolution was passed, allowing him to direct the taxes derived from his stock to the separate schools.³⁷ That an

³⁵ I am indebted to members of Martin Quinn's family, especially his daughter-in-law, Mrs. Eileen Quinn, and his grandson, Paul Quinn, for their help in reconstructing aspects of his personal life.

³⁶ Quinn further specified that: "When it became known to the company that this correspondence was to be published, their representatives immediately rushed to the Archbishop offering to pay the taxes (which amounted at that time to approximately \$900 per annum) and demanded that he 'stop Mr. Quinn from publishing the letters'...Archbishop McNeil had the good sense to tell them he had no authority over Mr. Quinn in such matters which, of course was the fact, nor had he any authority to take any money away from them, that it was their business to deal with the Separate School Board in any way they might determine, whereupon I promptly received an invitation to attend a meeting of the Directors, at which they proposed to pass the necessary resolution in accordance with my request. I need not say that I declined the invitation to observe those gentlemen making the best out of the very dangerous position into which I had forced them, but the resolution was passed, and the taxes were paid to the Toronto Separate School Board as long as I held the stock." See Quinn, Frustration, p. 15.

³⁷ Quinn, Frustration, p. 15.

individual would sacrifice his privacy to bring public attention to the school tax question impressed McNeil, and the archbishop encouraged him to speak plainly as to why he felt that previous agitations had failed. Quinn replied that the problem was with the hierarchy itself. Catholics, he decided, feared the "faulty judgment" of the bishops, who lacked both the experience and expertise necessary to achieve real inroads with governments. Quinn noted their agreement on the principle that a "thoroughly organized Catholic laity offered the only hope of success in the solution of what was a purely financial and political problem."³⁸ Promised that "no clerical nose will be permitted to intrude itself," Quinn entered into what he perceived to be a contractual relationship with McNeil, channeling his keen business instincts into the creation of a province-wide organization administered from central headquarters in Toronto.³⁹ His correspondence with the Weston Company was then translated into French and compiled in a pamphlet that was distributed across the province by the Archdiocese of Toronto July 9, 1931 as "Injustice to Separate Schools, Open Letter to Company."⁴⁰ That similar written appeals had been made since the early 1920s did little to discourage Quinn.⁴¹ Viewing the phenomenon as an

³⁸ Ibid., p. 15.

³⁹ "General Committee of the Catholic Taxpayer's Association – Diocesan Listing," December 12, 1932, CTAP, File 1, Series 46, MSSBA. After discussing his ideas with McNeil at length, Quinn notes in Frustration that he agreed that lay autonomy "...was not only a promise, but a contract, and I did so regard it." See Quinn, Frustration, p. 16.

⁴⁰ "Meeting Minutes – Separate Schools Assessment Amendment Committee, November 19, 1931," Archbishop Forbes Papers, File "Catholic Taxpayer's Association," MG 22, AOA. See also "Injustice to Separate Schools, Open Letter to Company," September 29, 1931, Cardinal McGuigan Papers, MGS020.284 (a), ARCAT.

injustice to people of all religious and political stripes, he remarked in the introduction to the pamphlet "I have come to the conclusion that few reasonable people, regardless of their religious persuasion, would be found to disagree."⁴² The solution as he saw it was to allow working people to exercise their democratic rights in order to make fully public an issue that had to this point been mishandled by the Ontario hierarchy and the varied efforts of its CEC.

With Quinn officially on board, McNeil called a meeting in early January of 1932 for what was being temporarily called "The School Tax Committee for Western Ontario." Prominent Catholics from throughout the province were invited to information sessions in order to mobilize support behind a revamped assault on the school tax question. The Ontario bishops had actually started down this road the previous September, giving explicit directions to the clergy of the province to read Quinn's open letter, and to

Call in three intelligent men and discuss with them the unfair assessment under which we are suffering, appoint a day for a second meeting and ask the three men to invite, each, three other men, for further instruction and discussion. Then announce in

⁴¹ The Canadian National Railway had rejected the request of Ottawa lawyer W.L. Scott in 1924 that a portion of its taxes be directed to the support of the separate schools in that city. See Ruel to Scott, December 19, 1924, CTAP, File 2, Series 46, MSSBA. Similarly, the "Separate School Board Supporters of Hamilton, Ontario" had submitted a memorandum that year in the same regard, to no avail, to the "Commission appointed by the Government of Ontario, to Revise the Provincial Statutes." See "Memorandum – Separate School Supporters of the Diocese of Hamilton" to the Government of Ontario, 1924, Bishop McNally Papers, File "Catholic Taxpayer's Association," DHA. Even at the time that Quinn and McNeil were negotiating the creation of the Catholic Taxpayer's Association in 1931, other lay activity was afoot. In that year representatives from the Sudbury Separate School Board had notified Bishop Kidd of London of their resolution to appeal to the local public utilities commission for a re-partitioning of its school taxes. See W.J. Cullen and A. Richard, Sudbury Separate School Board to Kidd, October 29, 1931, Bishop Kidd Papers, JTK 14/HF 1 CTA/FF L1, DLA. Also that year, Toronto Separate School Board Secretary E.F. Henderson published his own treatise on the school tax question. See E.F. Henderson, "Ontario School Question – Objections and Replies," 1931, Bishop Fallon Papers, MFF 1/3/36, DLA.

⁴² "Injustice to Separate Schools, Open Letter to Company," September 29, 1931, Cardinal McGuigan Papers, MGS020.284 (a), ARCAT.

Church a general meeting of men for the purpose of forming an organization with President, Secretary and Treasurer, to carry on the work of propaganda, and to discuss the matter in a friendly way with their Protestant neighbours. Then do the same for the women.⁴³

The study groups were particularly important for the development of true Catholic Action. Brian Hogan refers to them as the central for their promotion of study and discussion, necessary foundations of any program of social action.⁴⁴

McNeil and Forbes soon intensified their efforts, laying plans for an east-west division of the organization, and moving the Ontario hierarchy further into the background. On January 8 Quinn met with a temporary divisional executive in Toronto that adopted the new name of "The Western Ontario Separate School Tax Association."⁴⁵ When this group met again on March 19, the committee had undergone yet another title change, and now the Catholic Taxation Association (Western Ontario) put out a call for parish level organizations and recruitment drives.⁴⁶ Toronto lawyer James Day of the firm Day, Ferguson, Wilson and Kelly

⁴³ "Private and Confidential – Bishops' Circular Letter to the Right Reverend, Very Reverend and Reverend Clergy of the Province of Ontario," September 30, 1931, Cardinal McGuigan Papers, MGS020.285 (a), ARCAT.

⁴⁴ Hogan, "Salted With Fire," p. 31.

⁴⁵ A similar meeting of the representatives from Eastern Ontario also took place. See McNeil Forbes, January 8, 1932, and Forbes to McNeil, January 13, 1932, Archbishop Forbes Papers, File "Catholic Taxpayer's Association," MG 22, AOA. The Western Ontario group asked McNeil for his help in enlisting diocesan cooperation from across the province, resolving that "additional representatives from each of the Dioceses within the Districts under the jurisdiction of the Committee be named as follows: 12 from the Toronto Diocese and 5 from each of the other Dioceses." See Day to Kidd, March 28, 1932, Bishop Kidd Papers, JTK 14/HF-1CTA/FF1/L8, DLA.

⁴⁶ Circular Letter, James E. Day to "Rev. and Dear Father," March 19, 1932, Bishop Kidd Papers, JTK-14/HF1 CTA/FF1/L7, DLA. Reports were offered here from the chairs of the various committees as to the work being undertaken by the Association, including: M.J. Quinn (Finance),

took charge of organization and publicity. He requested that sermons be delivered in the various dioceses on the topic of school tax reform in order to spark interest and generate discussion, and that the local parishes report back to the CTA's Western Ontario headquarters in Toronto on the membership of the parish associations.⁴⁷ Slow responses from the parishes prompted him to make a more direct appeal to a sense of lay responsibility to Catholic Action the next month:

It is not by our own choice that we laymen are in this Movement, but Catholic Action by Laymen is an order to us. This is really the first movement of Catholic Action, and if it does not succeed in this one, having for its aim the relief of the pockets of our people and the salvation of our schools, the fault must lie with us, and as Catholic Layman's Action can neither exist nor succeed without proper Ecclesiastical direction, we have to look to the priests to find in the first instance some men who will act, on the call of the bishops. We are not going into any parish over the Priest's head, nor will we try to do anything anywhere unless the Priest is shoulder to shoulder with us, so it is up to you!⁴⁸

From this time forward, the CTA would attach a new sense of urgency to the school tax question and the need for Catholics to enlist in their parishes and make it a united Catholic cause.

As chairman of the Western Ontario section, Quinn began to chart his own course for the CTA almost immediately. He started by calling for a meeting with the leader of the eastern contingent, W.L. Scott, on April 10. An Ottawa lawyer and partner in the firm of Ewart, Kelley and Kelley, Scott had a lengthy

W.T. Kernahan (Legislation) and J.E. Day (Publicity). See "Minutes of Meeting – Catholic Taxation Association (Western Ontario), March 19, 1946," CTAP, File 1, Series 46, MSSBA.

⁴⁷ Circular Letter, James E. Day to "Rev. and Dear Father," March 19, 1932, Bishop Kidd Papers, JTK-14/HF1 CTA/FF1/L7, DLA.

history in the field of child advocacy. He was the original draftsman of the Juvenile Delinquents Act of 1908, and had served terms as president of both the Catholic Children's Aid Society of Ottawa and the Ontario Association of Children's Aid Societies.⁴⁹ His association with the school tax question continued a familial link initiated by his father, Sir Richard Scott, whose 1863 bill had laid the groundwork for the constitutional recognition of separate schools. The meeting proved conciliatory, and Quinn emerged as the leader of a provincial organization, the Catholic Taxpayer's Association, headquartered in the Catholic Office Building on Bond Street in Toronto.⁵⁰ In order to assuage regional concerns, the new General Chairman noted to Archbishop Forbes his intention to "...have the Eastern Association act as a Diocesan Committee in cooperation with a central organization in Toronto."⁵¹

Drive and determination would be hallmarks of Quinn's leadership from this time forward. In July, 1932 he released a memorandum for province-wide distribution among CTA affiliates, outlining the following objectives: (1) to gain what was directly stated and inferred by the wording of the original *British North*

⁴⁸ James E. Day, "Circular to Parish Priests," April 11, 1932, Bishop Kidd Papers, JTK - 14/HF 1CTA/FF1/L11, DLA. Op cit. Walker, Catholic Education and Politics, vol. II, p. 364.

⁴⁹ Subject File "Scott, William Louis," (1872-1944), R2730-0-9-E, National Archives of Canada, (hereafter NAC).

⁵⁰ The new executive would include diocesan representation from throughout the province. See Quinn to Scott, April 11, 1932, Archbishop Forbes Papers, File "Catholic Taxpayer's Association," MG 22, AOA.

⁵¹ Quinn to Forbes, May 6, 1932, Archbishop Forbes Papers, File "Catholic Taxpayer's Association," MG 22, AOA. Quinn readily justified the need for a central administration in Toronto with its proximity to Queen's Park – logic that would have easily justified a centralized base in Ottawa had they been pursuing a provincial initiative: "...but in any event there can be no doubt regarding the advantage of an absolutely centralized authority in connection with a question

America Act, namely insuring "...the complete and continuous enjoyment, by the religious minorities, of such rights as were originally granted", (2) the exemption of all separate school ratepayers from taxes imposed for the support of public schools, and (3) amendment of *The Assessment Act* in order to provide for the distribution of corporation and public utility taxes for educational purposes on the basis of school population – or the "Quebec Plan."⁵² A life-long Liberal, Quinn was quick to put partisan differences aside in the hope that these goals could be achieved through cooperative efforts with the new Conservative government of Premier George Henry.⁵³ In stark contrast to the very political movement it would become, he remarked that "avenues of diplomacy must first be carefully explored" and "an open political battle must be the last resource, and only to be adopted when we are sure that we cannot injure our chances in the other direction."⁵⁴

The diplomatic route, however, was soon found wanting, despite the work already carried out in dioceses such as London, where Bishop John Kidd notified Quinn that parish affiliates were beginning to lobby local Members for school tax reform.⁵⁵ Envisioning a repeat of the disappointments he had experienced with

which effects Catholics in precisely the same way in every part of the province." See Quinn to Scott, April 11, 1932, CTAP, File 3, Series 46, MSSBA.

⁵² Quinn, "Memorandum Defining the Objectives of the Catholic Taxpayer's Association," July 11, 1932, CTAP, File 2, Series 46, MSSBA.

⁵³ "...if it is found that the Government are disposed to feel that they can safely grant our request, then, naturally, the quieter it is done and the less publicity the matter receives the better it will be for all parties concerned." See Quinn to McNeil, January 7, 1932, CTAP, File 6, Series 46, MSSBA.

⁵⁴ Quinn to McNeil, January 7, 1932, CTAP, File 6, Series 46, MSSBA.

the CEC, McNeil soon despaired for the state of negotiations between the fledgling CTA and Henry early that March:

Signs of favourable consideration on the part of the Government are completely lacking. Months ago I was told that it was suggested to the Premier by one of his colleagues to request the deputy Minister and Mr. Merchant to draw up a report on our case for the information of the Premier. Within 10 days I asked the deputy if he had been so requested. He replied that he had never heard anything about it...On the whole I get the impression that the Government is not interested in our needs.⁵⁶

Quinn especially was unprepared for the staid and lacklustre approach to the separate school question that would be taken by Ferguson's handpicked successor. Peter Oliver's description of Henry as "stolid, sensible and hard working, yet lacking the flair and sensitivity required in such difficult days" and his contention that a "political agitation was a dangerous course to pursue" fails to grasp the dramatic change in leadership that took place with Howard Ferguson's departure from office in 1931.⁵⁷ John Saywell's accounting of Henry is more accurate, viewing him as "...instinctively a Tory, a man who did nothing on impulse, and if possible preferred to do nothing at all."⁵⁸ Subsequent history

⁵⁵ Dr. F.W. Merchant was Chief Director of Education for Ontario. Bishop Kidd of London noted to Quinn: "Every Member of Parliament in the Diocese has been approached more than once and has been explained what is expected of him." See also Kidd to Quinn, August 22, 1932, Bishop Kidd Papers, JTK – 14/HF1 CTA/FF1/132, DLA. See also Kidd to Rev. R.J. Coyle (Morrisburg), June 4, 1932, Kidd to Very Rev. D.J. Egan (Stratford), June 4, 1932, Kidd to His Excellency Rt. Rev. P.T. Ryan (Pembroke), June 4, 1932 and Kidd to Rev. P.J. Brunette (Penatanguishene), June 4, 1932, Bishop Kidd Papers, JTK-14/HF 1 CTA/FF1/L19, DLA.

⁵⁶ McNeil to Kidd, March 2, 1932, Bishop Kidd Papers, JTK-14/HF-1 CTA/FF1/L5, DLA.

⁵⁷ In his reference to the rise of the Catholic Taxpayer's Association, Oliver notes that it "spurred Catholic leaders to action and there resulted an agitation supported by clerics and laymen which made the Charbonnel campaign of the 1850s look pale." See Oliver, G. Howard Ferguson, p. 332 and p. 381.

⁵⁸ John Saywell, "Just Call Me Mitch": The Life of Mitchell F. Hepburn, (Toronto: University of Toronto Press, 1991), p. 65.

would prove that Henry was not equal to the task of dealing with the separate school question or its firebrand leader. Ultimately, this led to a political retaliation that had not been the original intention of Martin Quinn or the bishops in their encouragement of Catholic Action.

In an effort to stimulate legislative interest in the school tax question, the CTA executive chose to present arguments directly to the premier in the form of a detailed brief. Late in 1932, Quinn was optimistic that a resolution was at hand, although the brief was not submitted to the Henry government until January 13, 1933.⁵⁹ Noting that *The Assessment Act* had become “obsolete and ineffective,” it called for the distribution of school taxes for both corporations and public utilities between public and separate schools according to school attendance.⁶⁰ Speaking on behalf of the lay contingent representing all of the diocesan committees of the CTA, Quinn stressed to Henry the need for educational funding on the basis of school attendance:

The simplest, surest and most equitable remedy for the existing intolerable condition is to enact appropriate legislation which will ensure that corporation and public utility taxes be divided between the branches of the Public schools so that each branch will receive a share thereof proportionate to the number of children whose education is provided by that branch.⁶¹

⁵⁹ “...I think we have justification for being quite optimistic as to the final result...I desire to express the high hope that before another year rolls around you will have witnessed the fruition of your many years of hope and labour in connection with the school matter. I can think of nothing that will give Your Excellency a greater degree of satisfaction.” See Quinn to McNeil, December 23, 1932, CTAP, File 1, Series 46, MSSBA.

⁶⁰ “Summary of Brief – Catholic Taxpayer’s Association of Ontario,” January 13, 1933, CTAP, File 6, Series 46, MSSBA. The brief was accepted by the CTA General Committee on December 3, 1932. See “Minutes of the Meeting of the Executive of the Catholic Taxpayer’s Association,” December 3, 1932, CTAP, File 15, Series 46, MSSBA. The delegation was supported by Catholic Members Louis Coté, from Ottawa East and C.A. Séguin from Russell. See *The Toronto Star*, January 13, 1933.

Almost single-handedly the work of Martin Quinn, it gathered together the traditional arguments in opposition to *The Assessment Act* and included a lengthy legal opinion in support of a request for legislative action. Quinn noted confidentially to Bishop Kidd that Mr. Justice Daniel O'Connell, a Catholic Judge from Peterborough, volunteered his anonymous legal opinions in composing the brief.⁶²

A hot-tempered man at the best of times, Quinn was outraged with Henry's subsequent complacency. When the government had not responded by March of that year, he pressed for a second meeting. Attorney General W.H. Price stood in for the ailing premier in a closed-door session with the CTA that March, bluntly offering his opinion that Ontario Protestants would not stand for any "concessions" to Catholics in the matter of their schools. Rather than derailing the work of the CTA, Price's comments afforded Quinn the opportunity to expose the justice of the Catholic argument, responding "We have had the most abundant evidence from every direction that moderate and reasonable Protestant opinion favours our position, and this evidence has included a large amount of editorial comment of the most friendly character, which has appeared in all sections of the Province."⁶³

⁶¹ "Summary of Brief and Presentation Notes – Catholic Taxpayer's Association of Ontario," January 13, 1933, CTAP, File 6, Series 46, MSSBA.

⁶² Quinn to Kidd, November 16, 1932, Bishop Kidd Papers, JTK-14/HF-1CTA/FF-1/L47, DLA.

⁶³ "... (our movement) has been growing in intensity in the last twenty years, and the only recent change has been an acceleration of the increase of determination, on the part of our people, to convince the whole citizenry of the simple justice of our cause, and I am quite sure this will continue until success ultimately crowns our efforts." See Quinn to Price, March 16, 1933,

Indeed "enlightened Protestantism" had begun to cooperate in the school tax question even during the summer of 1932. Late that June, the D. Kemp Edwards Company of Ottawa made a voluntary allocation of more than fifty percent of the excess taxes which would have been paid if the firm was allowed by statute to be a separate school supporter.⁶⁴ Aligning voluntary corporate support to the cause imbued Quinn to outline a more activist manifesto for the CTA, linking it to the political reality he was only now beginning to understand had enmeshed the school tax question.

The idea to politicize the CTA had actually been mapped out months before in Quinn's booklet, "Some Pertinent Facts," published in the summer of 1932:

It will be a matter of interest to know that a survey of the Provincial Ridings indicates quite clearly that Catholic voters and their many thousands of sympathetic non-Catholic friends are in a position to have something to say, and the organization of the Catholic Taxpayer's Association is intended to be so thoroughly comprehensive in its character that when, and if, the time comes that those favourable to amending the Act are forced to express their will through the medium of the ballot, they will not be left in doubt as to how best to help in a movement that has been necessitated only through the failure of succeeding Provincial Governments to treat the Separate School Act as other legislation is treated; namely to amend it from time to time so as to insure full effect being given to the original intention upon which it was based.⁶⁵

CTAP, File 2, Series 269, MSSBA. In his correspondence with the Weston Company, Quinn had originally observed "I am absolutely convinced that if the great mass of Protestant people in this province were really aware of the facts of the present situation, the Catholic people would have little need to argue the matter further." See Quinn to Weston Company Ltd., July 9, 1931, CTAP, File 1, Series 46, MSSBA.

⁶⁴ *The Canadian Freeman*, July 7, 1932.

⁶⁵ Martin J. Quinn, "Some Pertinent Facts," p. 21, Cardinal McGuigan Papers, MGS020.06 (c), ARCAT.

In order to follow through on this agenda, he was clear to implement strategies designed to slowly inculcate a sense of political urgency among Ontario Catholics. All public addresses throughout the dioceses of Ontario over the next two years would conclude with an oath of allegiance to the CTA, including the promise not to "vote for any political candidate who has not definitely committed himself to support the efforts of the Catholic Taxpayer's Association of Ontario to procure an amendment to *The Assessment Act*."⁶⁶ The matter received province-wide attention, however, when the Orange Lodge for Ontario West quoted Quinn as suggesting before a meeting of the Oshawa Knights of Columbus on March 16 that "250,000 Catholics will go to the polls quietly when the next election takes place, and we'll try and elect a government that will recognize us...by sticking together and fighting on a high plane..."⁶⁷ While Quinn referred his critics to "Some Pertinent Facts" as well as to his politically charged rejoinder to the Attorney General, he could not escape the fact that, henceforth, the school tax question was to be a major political issue in Ontario.⁶⁸

⁶⁶ This particular example was taken from a speech made before Bishop Felix Couturier and the Diocese of Alexandria. See *The Catholic Register*, October 2, 1932.

⁶⁷ Circular Letter, Grand Orange Lodge of Ontario West, April 10, 1933, Cardinal McGuigan Papers, MGSO20.294 (a), ARCAT. Quinn was shocked that people were perceiving this to be a new suggestion, and felt things he said were taken out of context: "Some of the press reports, as well as speeches delivered in some Orange Lodges since, in addition to the wording of some resolutions passed at such meetings would leave the impression that the position I took was of directing a definite threat against the Government and, to that extent, indicated a change in its policy with which this Association has pursued until that time." See Quinn to McCrea, May 25, 1933, Archbishop Forbes Papers, File "Catholic Taxpayer's Association," MG 22, AOA. See also Martin J. Quinn, "Meeting Orange Propaganda," May 25, 1933, CTAP, File 6, Series 46, MSSBA.

⁶⁸ "While I do not advance it as a reason why there should be favourable Government action, I think it is not out of place to refer to the commonly accepted view that the size of the Government majority is, in no small measure, due to the support of the Catholic voters, it being claimed by Conservatives, who are in a position to have the best available information, that at

Identifying the Orange Lodge as a key target of any Catholic political campaign, Martin Quinn would meet them on their own terms.⁶⁹

least 90% of the Catholic voters of the Province supported the Government in the last two elections." See Quinn to Price, March 16, 1933, CTAP, File 2, Series 269, MSSBA.

⁶⁹ "...it seems to me that we have everything to gain and nothing to loose by a direct attack on the Orangemen, with a view to exposing their methods, of ridiculing their efforts, and thus segregating them from the main body of Protestantism, in that way maintaining the advantages that we have attained, and, perhaps, adding to them. It is my judgment that unless we pursue some such policy, the constant reiteration of untruths by these people will ultimately have its effect, whereas we certainly have it in our power to minimize their importance by a proper exposure." See Quinn to McNeil, May 5, 1933, Bishop Kidd Papers, JTK-14/HF 2-CTA/FF1/L18, DLA.

Chapter Three

Moving the “Mass of the Catholic People”

Building a Political Machine

The spirit of hostility that would come to dominate relations with the Orangemen was borne of the incessant attacks made on the CTA almost from its inception. The Ontario Lodge had traditionally made easy targets of the priests and bishops that represented the Church in a host of issues. Removing the clerical face from the movement to gain greater access to public revenues for the separate schools clearly made them uneasy. When the Grand Master for Western Ontario, C.M. Carrie, declared in November of 1932 that expanded rights would “...destroy the life work of Dr. Ryerson and the Public School system,” it was clear that the Lodge was again positioning for a campaign against the separate schools.¹

Addressing its concerns in the public press, the Lodge was determined to raise Protestant emotions against the threat posed by the CTA. The head of the West Peterborough County Legislation Committee started the propaganda campaign that December, stating to *The Peterborough Examiner*, “they who want to make a raid on the Public school treasury...can be met in a very effective way by a counter-agitation for the abolition of the dual system entirely. Both would

¹ *The Woodstock Sentinel Review*, November 28, 1932.

mean a change of the BNA Act, and one demand would be as fair as the other.”²

This led to a series of open letters from local Orangemen and representatives of the CTA General Committee between 1932 and 1933 that were eventually published in booklet form as “‘What Some Orangemen Say’ and ‘The Catholic Reply.’” Attacking the contention that the Quebec Plan was flawed, and that the Protestant minority in that province was still not well treated, it cited the 1932 report of J.C. Sutherland, Inspector General of Protestant Schools in Quebec, who concluded:

It should be evident from the foregoing statements that the English Protestant minority in the Province (Quebec) have complete educational freedom; Protestant schools maintained by Protestant taxes, Protestant inspectors, teachers trained in a Protestant school for teachers, classes of study and all regulations concerning the schools authorized by the Protestant Committee, and Departmental administration represented by the English Secretary, who is Director of Protestant education.³

This was the CTA’s first organized effort to vilify the Lodge among both Catholics and “fair minded Protestants” as the antithesis to their efforts to bring a sense of reason and justice to the school tax question.

In an effort to defuse the potential for open warfare between the Orange Order and the CTA, Archbishop O’Brien approached C.L. Kidd, Grand Sovereign of the Lodge in British North America, early in 1933 to discuss their relative

² *The West Peterborough County Examiner*, December 19, 1932.

³ Booklet, “‘What Some Orangemen Say’ and ‘The Catholic Reply,’” (Toronto: The Catholic Taxpayer’s Association, 1933), CTAP, File 2, Series 46, MSSBA.

positions. He later remarked to McNeil:

I didn't expect him to commit to anything and he didn't, but I was satisfied to tell him that he and the government should keep their Orange dogs quiet unless they are prepared to align the Catholic vote against them. I made myself quite plain and he seemed to understand me.⁴

The "Orange dogs" however were anything but quiet. "The True position of the Knights of Columbus in Ontario," published in May of 1933, focused Protestant attention on the relative strength of the Catholic fraternal association. A scathing indictment of organized Catholicism, the piece singled out the 13,000 member Knights, who made only 1.7% of the Roman Catholic population of Ontario, as being less representative of Catholics than the Lodge, with 1,079 chapters "...in practically every city, town and hamlet" in the province.⁵ Another pamphlet, "The Hypocrisy of *The Canadian Freeman*," attacked the Kingston weekly's editorial defense of the separate schools of Ontario, claiming the graduates of such institutions were hardly worthy of a dual system: "...let them look up the police and court and gaol records of any city or Province in Canada, scan the Dominion official figures and see where the Roman Catholic products of Separate Roman Catholic schools stand."⁶

Orangeism had been a powerful political force in nineteenth century Ontario, particularly in Toronto, where former Mayor H.C. Hocken observed that

⁴ O'Brien to McNeil, January 7, 1933, CTAP, File 3, Series 46, MSSBA.

⁵ Pamphlet, "The True Position of the Knights of Columbus in Ontario," (Woodstock: The Grand Orange Lodge for Ontario West, May, 1933), CTAP, File 2, Series 46, MSSBA.

⁶ Pamphlet, "The Hypocrisy of *The Canadian Freeman*," (Peterborough: The Grand Orange Lodge for Ontario East, May 20, 1933), CTAP, File 1, Series 46, MSSBA.

since 1834, only thirteen men who were not members had held the position.⁷

Cecil Houston and William Smyth, however, have shown that the political influence of the Lodge at that time was more a reflection of the prevailing Protestant demography, where "an undercurrent of anti-Catholicism characterized the tone of local affairs," than to a sense of overt religious rivalry:

Their position as office-holders did not necessarily represent a polarization of Catholic and Protestant electoral support but merely implied the symbiotic relationship of Orange tenets and local community tenets and local community sentiments. Temperance and prohibition, sabbatarianism and public good defined in terms of Protestant morality... That too was steadfastly maintained by Orange administrators who otherwise conducted municipal business by accepted economic and administrative practices.⁸

While they suggest that as much as one third of the Ontario Legislature consisted of Orangemen during the First World War, the Lodge's political influence was, by then, already in decline. The moderate Conservatism of Sir James Whitney in the 1890s had brought an end to the period of "no popery."⁹ While bad feeling may have prevailed in some sectors and certainly the twelfth of July and St. Patrick's Day were bound to be marked with donnybrooks and brief outbursts of sectarian violence, Ontario was undergoing a period of religious metamorphosis. The steady integration of Irish Catholics into the Canadian mainstream, including their participation in virtually all sectors of the public payroll, intermarriage with Protestants and strong support for the British Empire during World War I, made

⁷ Hocken was himself a former Grand Master of the Orange Lodge and a federal Conservative M.P.. See G. de T., Glazebrook, The Story of Toronto, (Toronto: University of Toronto Press, 1971), p. 164.

⁸ Cecil J. Houston and William J. Smyth, The Sash Canada Wore: The Historical Geography of the Orange Order in Canada, (Toronto: University of Toronto Press, 1980), p. 156.

them less obvious targets for the Lodge. This was particularly due to the emergence of a homegrown clerical elite, who shifted control from the “Hibernarchy” of Irish-born religious and were, according to Mark McGowan, “as vociferous in their Canadian patriotism as they were protective of their Catholic piety.”¹⁰ During the key depression era years of the CTA, Houston and Smyth conclude the Lodge had ceased to be a major player in directing public policy, noting it had been effectively neutered by “the obsolescence of the self-help function and economic crisis.”¹¹

Regardless of this political reality, Quinn, a staunch Roman Catholic had been born near Orangeism’s birthplace in Eastern Ontario and was determined to expose it as a vocal minority. In the face of a barrage of anti-separate school invective, he initially saw the religious press as best suited to defending the Catholic position. He had suggested to McNeil as early as January of 1932 the need to mobilize the work of the three English-Catholic weeklies around a defense of the school tax question.

Do you not think that the Catholic Press is falling far short of its opportunities in connection with the tax question, and should not some arrangement be made to have them carry new items and editorial material every week? If we are to succeed we must have publicity and a lot of it, and little should be expected from the secular press until we show the way.¹²

⁹ Houston and Smyth, The Sash Canada Wore, p. 154.

¹⁰ McGowan, The Waning of the Green, pp. 56-58. See also Walker, Catholic Education and Politics, vol. II, pp. 157-191.

¹¹ Houston and Smyth, The Sash Canada Wore, p. 172.

¹² Quinn to McNeil, July 15, 1932, Cardinal McGuigan Papers, MGSO20.287, ARCAT. The papers referred to were *The Catholic Register*, *The Catholic Record* and *The Canadian Freeman*.

CTA executive member R.A. Jeffrey of Pembroke also spoke eloquently to the problem, remarking "it becomes apparent that very many of our people assume an apologetic attitude...They seem inclined against arousing the local editor lest he go round like a roaring lion smiting all and sundry."¹³ That Henry was unwilling to commit to any course of action made the matter even more imperative for Quinn. He suggested that the province's five newspapers holding Catholic affiliation, *The Catholic Record* of London, *The Catholic Register* of Toronto, *The Canadian Freeman* of Kingston, *The Catholic Voice* of Hamilton and the Franco-Ontarian paper *Le Droit* operate under a single editorial policy.¹⁴ Corresponding with Henry Somerville of *The Register*, R.M. Burns of *The Record* and Dr. J. Foley of *The Freeman*, Quinn called for "editorial unity" to help provide a "Catholic consensus" and an outward expression of "honest disappointment should the Henry government do nothing, in order to help encourage a sense of injustice among those fair minded Protestants."¹⁵ Bishop Kidd concurred with the desire to coordinate the work of the province's Catholic press, and lent his support to the effort, noting: "I do think that a meeting at once of the Catholic Paper Editors would probably help and think that the time for it is now. This

¹³ Jeffrey to Kernahan, October 28, 1932, CTAP, File 1, Series 46, MSSBA. McNeil suggested employing a "newspaper man" to visit the editors of the various publications throughout the province and engage the business of media relations that the CTA had to this point foregone. See McNeil to Kidd, November 2, 1932, Bishop Kidd Papers, JTK-14/HF-1 CTA/FF1/L43, DLA.

¹⁴ Quinn to Forbes, February 7, 1933, Archbishop Forbes Papers, File "Catholic Taxpayer's Association," MG 22, AOA.

¹⁵ Quinn to Burns, February 3, 1933, CTAP, File 1, Series 46, MSSBA.

should counteract any impression made by the Government by petitions sent in by school boards at the request of a few active Orangemen."¹⁶

Although regular headlines and editorial columns in the English-Catholic press were devoted to the separate school question and the efforts of the CTA from 1931 onwards, with the *Register* offering front-page coverage virtually every week from 1933 through 1934, Quinn was not assuaged. He envisioned the type of attention given to other Catholic organizations in the past.¹⁷ Things had changed substantially during the Great Depression. Henry Somerville's return as the editor of *The Register* in 1933 was key to the way the paper would be "used" henceforth. A fierce defender of the social and economic principles outlined in both *Rerum Novarum* and *Quadragesimo Anno*, Jeanne Beck describes him as seeking

...to bring to fruition the principles he found in the traditional sources of the Church's doctrines - the Bible, the writings of the Doctors of the Church, particularly St. Thomas Aquinas, and the Papal Encyclicals. He believed in and practiced obedience to the hierarchy in matters of faith and morals and eschewed theological controversy.¹⁸

In his association with the *Register*, Somerville sought to encourage Catholic participation in politics, while fervently avoiding partisanship.¹⁹ In short, Quinn

¹⁶ Kidd to Quinn, February 12, 1933, Bishop Kidd Papers, JTK-14/HF 2-CTA/FF1/L109, DLA.

¹⁷ *The Catholic Register*, for example, had been purchased by the Catholic Church Extension Society in 1908, which henceforth devoted substantial space to propagandizing issues relating to Canadian immigrants and their homelands in an effort to promote what Mark McGowan has referred to as a message of "crisis in Canadian Catholicism." See Mark G. McGowan, "Toronto's English-Speaking Catholics, Immigration, and the Making of a Canadian Catholic Identity, 1900-1930" in Murphy and Stortz, eds., *Creed and Culture*, pp. 185-203.

¹⁸ Beck, "Contrasting Approaches to Catholic Social Action," pp. 218 and 227.

would face an uphill battle with the religious press, especially in Toronto, in his effort to build the aggressive political machine of his vision.

Likewise, informal investigations into the government's plans with Catholic members of Henry's government proved fruitless. J.L. Murray, representing Pembroke on the CTA General Committee, was told by the local M.L.A., Thomas O. Murray, that the Catholics in caucus had shown little interest in the school tax question, and that it was unlikely to be dealt with by the Conservatives in 1933.²⁰ Rallying grass roots parish support, Quinn determined, was the only viable option left to inspire the real work of Catholic Action. At his request, A.E. Corrigan, a Catholic layman from Ottawa, used the formidable resources at his disposal as the Managing Director of the Capital Life Assurance Company of Canada, to distribute information packages to Ontario parishes early in 1933, outlining the particulars of the Quebec plan. It encouraged priests to discuss the school tax question with parishioners and to distribute this information "...as widely as possible throughout the Province, not only to Catholics, but to Protestants who are directors of Corporations or prominent in other activities."²¹

Efforts to propagandize the issue among both Protestants and Catholics now began to dominate the strategic work of the CTA. Imbued with a sense of confidence in his mission, and timed perfectly to capitalize on a wave of "splendid support in the editorial columns," Quinn approached the managing editors of the

¹⁹ In keeping with this sense of his religious apoliticism, McGowan notes that "*The Register* eschewed the establishment of a separate Catholic political party, as had been suggested by *The Irish Canadian* a decade before." See McGowan, *The Waning of the Green*, p. 215.

²⁰ Thomas O. Murray to J.L. Murray, March 6, 1933, CTAP, File 1, Series 46, MSSBA.

province's secular press with copies of the CTA brief and his pamphlet "Injustice to Separate Schools,"

Our effort to acquaint the general public with the real situation, under which a very substantial part of the Ontario population is suffering a grievous injustice, has been accorded much space in the news columns...and I am hopeful that after a perusal of the enclosed documents you will feel justified in discussing the matter favourably in your editorial column.²²

His central concern in this campaign was to inform the province's largely Protestant population as to the intricacies of the school tax question. That fall, in a letter to the editor of Hanover, Ontario's *Chelsea Enterprise*, he remarked that "The success of the policy of the Catholic Taxpayer's Association is dependent entirely upon the good will of the non-Catholic population of the Province."²³ Already in 1932 the CTA had evidence that this might be the case across the province. Writing in the *London Advertiser*, J.J. Macdonald, a Protestant from St. Mary's, Ontario, defended the very efficacy of the separate schools in light of growing public opposition to the CTA by the Lodge, declaring "Orangemen are saved the trouble of asking that state funds be used for the teaching of Protestantism, for they got such funds to be so used without asking for them. Protestantism is the Bible as interpreted by each person for himself, and it is so taught in the public schools."²⁴ In addition, James Day pointed McNeil's attention

²¹ Quinn to O'Brien, August 29, 1933, CTAP, File 4, Series 46, MSSBA.

²² Quinn to Jerome Knechtel, February 14, 1933, CTAP, File 1, Series 46, MSSBA. See also Quinn to "Managing News Editor," January 9, 1933, Bishop Kidd Papers, JTK-14/HF2-CTA/FF-1/L3, DLA.

²³ *The Chelsea Enterprise*, October 18, 1933.

to this passage, taken from the October 6 editorial of the *Cobourg World* as an example of “what can be done where a local committee chooses the right men to present our case to the newspaper”

The wonder to our mind is that Catholic ratepayer's have waited so long in making any effort to acquaint the public with the actual facts as they exist today, and have existed for over half a century. Surely we, and those of us who are Protestant, do not want to allow it to be said that Catholic Quebec is more generous, broader minded and a greater lover of justice and fair play than Protestant Ontario!²⁵

The *Brockville Recorder and Times* echoed these sentiments that November, admitting “...the campaign which is being promoted by the organization known as the Catholic Taxpayer's Association...is neither unreasonable nor unfair.”²⁶ The *Brantford Expositor* added that “surely this vexed problem deserves our serious consideration, and it ought to be possible for a small committee comprised of representatives of Protestants and Catholics, under the direction of the Ontario Government, to reach a satisfactory adjustment of this protracted controversy.”²⁷ In Toronto, the lone secular ally of the CTA, *The Toronto Star*, also entered the fray that December, remarking that “the separate school supporters have a strong case, and the Ontario Government should take cognizance of their request.”²⁸

²⁴ *The London Advertiser*, January 15, 1932. For editorials on this same theme over the next year, see *The Windsor Border Cities Star* March 18, and June 1, 1933, *The London Advertiser*, July 14, 1933 and *The Toronto Star*, March 27, 1933.

²⁵ *The Cobourg World*, October 6, 1932. See also Day to McNeil, October 12, 1932, CTAP, File 1, Series 46, MSSBA.

²⁶ *The Brockville Recorder and Times*, November 8, 1932.

²⁷ *The Brantford Expositor*, November 15, 1932.

²⁸ *The Toronto Star*, December 3, 1932.

In relatively short order, Quinn had transformed the CTA into a substantial propaganda machine, capable of rivaling the work already being done by the Orange Lodge. In the spring of 1933 he continued in this direction, publishing a series of leaflets labeled "The True Position of the Orange Lodge in Ontario." These presented the province's 750,000 Catholics as a formidable political force and charged that the Orangemen, numbering some 30,000, were themselves hardly representative of Ontario's 2.5 million Protestants.²⁹ Later pieces accused the Lodge of having "...succeeded in wielding an influence out of all proportion to its numerical strength" and that, contrary to Orange opinion, the BNA Act did not offer a "final settlement" in the matter of school tax reform.³⁰ Reflecting years later on the importance of this period, Quinn referred to his public exposure of the Orangemen as fostering the birth of a "Catholic political spirit" that would become the central feature of the movement for Catholic Action in education.³¹

²⁹ Leaflet, "The True Position of the Orange Lodge in Ontario – Article #1," 1933, CTAP, File 6, Series 46, MSSBA. Note: Quinn had a "Special Note" appended to the bottom of the circular: "This and some further articles that will follow should be placed in the hands of as many Catholics and their fair non-Catholic friends as possible. Please advise how many copies you can distribute advantageously. They will be sent to you without charge."

³⁰ Circular, "The True Position of the Orange Order in Ontario – Article #3," October, 1933, CTAP, File 2, Series 46, MSSBA. See also Circular, "The True Position of the Orange Order in Ontario – Article #2," October, 1933, CTAP, File 4, Series 46, MSSBA and McNeil, "Separate School Taxes", 1932; The Catholic Taxpayer's Association, "Companies and School Taxes in Ontario", 1932; The Catholic Taxpayer's Association "The School Question – Circulars 1-3," 1932-33 in CTAP, File 2, Series 46, MSSBA. The last set of circulars was bound together to form one larger document called "Debunking Orange Terror." See Bishop Kidd Papers, JTK-14/HF 2-CTA/FF1/L19, DLA. In another circular letter to parish priests, Quinn cited a recent article in the *Canadian Freeman* that had called on Henry to avoid participation in the usual Orange Day celebrations on the 12th of July that summer. Quinn's response was inflammatory against the premier who was clearly putting his loyalties on display: "...he [Henry] and a number of his Ministers appeared on Orange platforms in various parts of the Province and took part in the usual demonstrations against 1/4 of Ontario's population." See Quinn to Parish Priests, May 16, 1934, Archbishop McNeil Papers, MNAE11.25, ARCAT.

In the short run, these publications served to fan the flames of intolerance and contributed to media wars already entrenched along religio-political lines. With a provincial election in the offing late in 1933, Quinn sought to establish a sense of urgency to the school tax question. Receiving word during a municipal election campaign in Toronto that *The Toronto Telegram* was advocating the candidacy of Orangeman Percy Quinn for City Controller, Martin J. Quinn immediately went on the defensive. Taking out space in *The Catholic Register* to clarify what he viewed as a deliberate attempt to confuse Catholic voters, he asked Archbishop McNeil to have similar announcements made in the parishes on the Sunday before voting.

...the present contest for controllership in Toronto...while I assumed there would be some degree of misunderstanding on the part of Catholics, I was not prepared for the widespread acceptance of Mr. Percy Quinn as the man of the same name who has been identified with the Taxpayer's Association. I have just received evidence this afternoon that the "Telegram", in advocating the candidacy of Mr. Quinn, believed that "the name Quinn would be popular with the Catholic voters in Toronto just now", and they are relying in some measure upon their expectation in that regard to split the Catholic vote.³²

That Catholic voters would succumb to such puerility seems unlikely, and Mark McGowan has shown an increasingly informed and able electorate culled from the diaspora community of Irish that had taken root in Toronto. Catholics were inculcated with a sense for their responsibilities as citizens as a result of their increased social and economic integration, especially from the late nineteenth

³¹ Pamphlet, Quinn, "The Separate School Tax Issue and The Spirit of 1934," Open Letter to Rev. F.J. Brennan, (Toronto: The Catholic Taxpayer's Association, March 13, 1939), CTAP, File 15, Series 46, MSSBA.

³² Quinn to McNeil, December 22, 1933, CTAP, File 4, Series 46, MSSBA.

century. Increased literacy and the weakening of religious tensions that accompanied this period were at least partly responsible for consistent rise in the numbers of Catholics elected to Queen's Park and the overall increase in their political participation. In keeping with Henry Somerville's fervent apoliticism, McGowan notes that "*The Register* eschewed the establishment of a separate Catholic political party, as had been suggested by the Irish Canadian a decade before, but instead suggested more assertive political participation without reference to creed or partisan affiliation."³³ Paranoid, determined or suffering from delusions of grandeur, it would soon be clear that Quinn's respect for the intelligence of his people did not match his faith in their ability to unify against the Conservatives.

In contending that Catholics could be united against an uncooperative government, Quinn had set out the greatest task of all for both himself and the CTA. Disdaining the papal call for the hierarchy to directly supervise the work of Catholic Action, he had assembled a formidable political machine, flying in the face of what Rev. George T. Daly had described as the *raison d'etre* of the movement:

The purpose of Catholic Action is the promotion of the work, the forwarding of the ideals that effect the Church as a whole. To move, therefore, the mass of the Catholic people in a given country, to co-ordinate the parishes and the dioceses in one common effort is a stupendous task which imperatively demands a strong and well planned organization. No individual or group is capable of it. The work is too great, the issues involved too complex.³⁴

³³ McGowan, *The Waning of the Green*, pp. 212-215.

The hierarchy was at least partially responsible for helping Quinn to redirect the agitation. Neil McNeil's observation that "our people are lethargic in public action. They are not accustomed to insisting on their civil rights," was grounded in his experience of some twenty years at the helm of the CEC.³⁵ He was supported in this regard by his brother bishop, Felix Couturier of the Diocese of Alexandria, who noted "My experience is that unless some practical action is enforced, all listen, more or less attentively, to Encyclicals, Pastoral Letters, Sermons and the rest and then proceed to forget it all, and go on as before."³⁶ A more intense, partisan political campaign became the appointed goal.

A formal election strategy was first discussed at the first meeting of the CTA General Committee in January of 1934. Here, following a dinner hosted by the Toronto Separate School Board, Neil McNeil suggested that the separate boards declare their insolvency by defaulting on public utility payments and other bills relating to their maintenance and operation.³⁷ Quinn rejected the notion as

³⁴ Daly, Catholic Action: Church and Country, pp. 91-92.

³⁵ McNeil to Kidd, November 2, 1932, Bishop Kidd Papers, JTK-14/HF-1 CTA/FF1/L43, DLA. Clearly several of the laity also felt this way. W.T. Kernahan, F.C.A., Treasurer of the CTA, received this letter from a member of the CTA General Committee in the Pembroke Diocese in 1932: "Looking over my correspondence on the subject...it becomes apparent that very many of our people assume an apologetic attitude on the subject. They seem inclined against arousing the local editor lest he go round like a roaring lion, smiting all and sundry...some even feel that we are 'in the wrong on the issue.'" See R.A. Jeffrey to Kernahan, October 28, 1932, CTAP, File 1, Series 46, MSSBA.

³⁶ In an effort to provide some religious uniformity on the educational front in his Diocese, Couturier, as had his predecessors in the Ontario hierarchy, turned to strong-arm tactics. He established a petition system "For Dispensations Necessary in Order to Send Catholic Children to Non-Catholic Schools," which had to be signed by the local parish priest and then approved by the Ordinary of the Diocese - to be reviewed every three years. See Couturier to O'Brien, June 8, 1931, Archbishop O'Brien Papers, "File 1931 - C, D," AKA.

³⁷ "Confidential Memo," Quinn to Day, January 29, 1934, CTAP, File 5, Series 46, MSSBA. The pastor of St. Paul's Church in Toronto, Msgr. J.L. Hand, had made the same suggestion in the summer of 1933 during the course of a special meeting of the TSSB. He was

extralegal, returning to the course of action proposed in "Some Pertinent Facts"

...we preferred to give the Government full latitude along any lines it might choose – PROVIDED THAT THE APPOINTMENT OF A COMMISSION OR ANY OTHER DEVICE WOULD NOT RESULT IN THE POSTPONEMENT OF A GOVERNMENT DECISION BEYOND THE END OF THE CURRENT SESSION.³⁸

Other strategic options for legislative reform were shelved, and parish affiliates were put on notice that "...there never was a time in the last year and a half when a really intensive effort was so necessary."³⁹ Quinn was clear in his conviction that a united laity would only succeed where others, including "...a number of organizations, all striving for the same objective, but without any coordination of effort," had all failed.⁴⁰ Likewise, Quinn would tolerate no interference from the

immediately rebuked by Quinn. See Quinn to Rt. Rev. Msgr. J.L. Hand, November 14, 1933, CTAP, File 6, Series 46, MSSBA.

³⁸ Quinn to Day, January 31, 1934, CTAP, File 5, Series 46, MSSBA. See also Quinn, "Some Pertinent Facts."

³⁹ In the spring of 1933 Quinn suggested to Bishop Michael O'Brien of Kingston the idea of bringing pressure to bear on the Dominion Government of R.B. Bennett through Quebec Catholics, who Bennett's Government was eagerly soliciting the support of, and who Quinn saw as gaining Conservative support for in the previous election through Ferguson's repealing of Regulation 17: "No evidence will be required to convince our Quebec friends that the Conservative Party in the Dominion House, and the Conservative Party in the Ontario House are one and the same institution, under the same control, cooperating together in both federal and provincial elections, and sharing in the same financial subscription plot." See Quinn to Bishop O'Brien, May 26, 1933, CTAP, File 3, Series 46, MSSBA. See also Quinn, Circular Letter, to "Parish Priests," May 31, 1933, CTAP, File 5, Series 46, MSSBA.

⁴⁰ He noted that it had been understood by the Ontario hierarchy when the CTA was created that other work on behalf of this cause would be stopped: "...all of the agencies now engaged in similar efforts were requested to affiliate themselves with the new Association, which, representing the whole Catholic population of Ontario, would not be open to the suggestion, so hurtful to us in the past, that there was no support by the entire class of persons effected. See Quinn, "Memorandum Defining the Objectives of the Catholic Taxpayer's Association," July 11, 1932, CTAP, File 1, Series 46, MSSBA. The scattered work of the SSAAC was still being carried out in certain municipalities. The Niagara Falls Separate School Board, for example, had recently resolved to petition the provincial government for revision of the *Assessment Act*, declaring "the total levy collected by the municipalities...be turned over to the Provincial Government, who...would distribute these monies on a per pupil basis to all Boards in the Province." See "Resolution – Niagara Falls Separate School Board," 1933, Bishop Kidd Papers, JTK – 14/ HF 2 CTA/FF1/L29, DLA.

Ontario hierarchy, seeing them as ill suited to the work at hand:

...public participation of any kind by other than laymen might, for quite obvious reasons, tend to weaken the effect on the average political intelligence which will be created by the belief that at last a thoroughly organized and, if necessary, militant lay force, is determined to use every reasonable and lawful means at their disposal.⁴¹

McNeil's guarantee that any Catholic organizations in the province working in regard to the school tax question would now be under the auspices of the CTA bolstered the movement's authority, and it moved ahead with a definite plan of action and a broad base of support.⁴²

Counted among the various networks of support for the CTA at this time were the organizations of Catholic men and women that sought, through their diocesan committees, to enable the effort for legislative reform. Quinn had originally made it clear in the summer of 1932 that women would be relegated to secondary importance in the agitation, concluding in the original memorandum of CTA objectives that their vote was of "minor importance."⁴³ He would soon be forced to confront the reality, however, that the Catholic Women's League were the most forceful and best organized of the lay Catholic associations that would work in concert with the CTA. Promoters of "Catholic values, charitable works, and Canadian patriotism," the CWL had aligned itself with the CTA from the beginning.⁴⁴ The president of its Toronto chapter, Mrs. J.C. Keenan, had been

⁴¹ Quinn to Scott, April 11, 1932, CTAP, File 3, Series 46, MSSBA.

⁴² Ibid.

⁴³ Quinn, "Memorandum Defining the Objectives of the Catholic Taxpayer's Association," July 11, 1932, CTAP, File 1, Series 46, MSSBA.

elected to the first CTA executive, rising to Second Vice-Chairman in the consolidated organization. At her prompting, Quinn was invited to address the CWL's provincial meeting in London that October, and used the opportunity to enjoin more women in the parish level work of the CTA.⁴⁵ CWL involvement continued to expand, and in December of 1932 they sponsored an essay writing contest among the elementary separate school children of the province on the question "What Injustice do Catholics in Ontario Suffer in Regard to Their Schools?"⁴⁶ CTA publicity man, James Day, commended the organization in 1933 for sponsoring "debates of the school children in many parts of Ontario" that served to familiarize both students and parents to the essential aspects of the school tax question.⁴⁷ When Neil McNeil suggested the CWL should assemble a parish resolution campaign directed at affirming the support of Catholic women to amend *The Assessment Act*, the motion passed easily at its Archdiocesan Convention in Barrie, Ontario on October 13, 1933. A similar motion had been brought before the Ontario Committee at the National Convention of the CWL the previous June.⁴⁸ By March of 1934, Premier Henry

⁴⁴ McGowan, *The Waning of the Green*, p. 181.

⁴⁵ The meeting was held on October 2, 1932 at St. Peter's Hall, London, Ontario. See Circular Letter, Kidd to "Parish Priests," October 7, 1932, Bishop Kidd Papers, JTK-14/HF1-CTA/FF1/L37, DLA. Diocesan chapters of the CWL were asked to draw up resolutions in the support of the CTA and its objectives. This example is taken from the 1932 CWL Kingston Convention: Resolution #7 - "That we, in convention assembled, endorse the efforts of the Catholic Ratepayer's Association of Ontario and pledge them our cooperation and whole-hearted support in all their endeavors." See "Report of the 12th Annual Convention of the CWL of the Archdiocese of Kingston - 1932," Archbishop O'Brien Papers, File "1932 - C,D", AKA.

⁴⁶ *The Catholic Register*, December 29, 1932.

⁴⁷ James E. Day (Chair), "Report of the Committee on Organization and Publicity for the General Meeting of the Catholic Taxpayer's Association," 1933, CTAP, File 4, Series 46, MSSBA.

acknowledged receipt of the names of some 13,000 women resolving for government action, representative of every diocese and virtually every parish in the province.⁴⁹

A host of other Catholic organizations also leant their support to the CTA's push for school tax reform. Early in 1932 the Ottawa Conference of the Catholic Order of Foresters passed a resolution asking for "a more equitable distribution of tax dollars for the support of the separate schools."⁵⁰ Later, in 1933, H.R. Day, CTA Executive Secretary and younger brother of James Day, announced to the parish committees that the Foresters,

...thoroughly representative of a large body of English and French speaking Catholics, goes on record as expressing keen disappointment in the published announcement of Premier Henry that his Government has not, as yet, given any consideration to the request of the CTA that certain amendments be made to the Assessment Act.⁵¹

In addition, some 12,000 men belonging to the Holy Name Society of Windsor endorsed resolutions sent to the government; as did the combined membership

⁴⁸ The motion read in part "...the CWL have undertaken to co-operate with the Catholic Taxpayer's Association in the matter of trying to obtain from the Ontario Government just legislation to allocate an equitable of taxes to the Separate Schools of this Province." See Mary F. Mangan, (Corresponding Secretary for the Catholic Women's League for the Archdiocese of Toronto) to "Parish Priests", February 16, 1934, CTAP, File 5, Series 46, MSSBA.

⁴⁹ Henry to Mangan, March 12, 1934, CTAP, File 4, Series 46, MSSBA. The MSSBA collection also includes a folio containing lists of resolutions from the Archdioceses of Toronto, Kingston and Ottawa as well as the Dioceses of London, Hamilton, Pembroke, Peterborough, Sault Ste. Marie, Alexandria, Haileybury, Hearst and St. Boniface, each broken down by parish and including the number of signatures from each.

⁵⁰ Resolution, Catholic Order of Foresters, Ottawa Conference, J.C. Allen, Secretary, February 12, 1932, Archbishop Forbes Papers, Archbishop Forbes Papers, File "Catholic Taxpayer's Association," MG 22, AOA. Archbishop McNeil was the Spiritual Director for the Ontario Catholic Foresters, and their provincial treasurer, R.L. Archambault, was also a member of the CTA's General Committee.

⁵¹ H.R. Day to "Chairman of Parish Committee, April 4, 1933, CTAP, File 6, Series 46, MSSBA.

of the St. Jean Baptiste Society at their annual general meetings in 1933 and 1934.⁵²

With a firm bank of support from organized Catholicism, Quinn was now intent on re consolidating and unifying the parish level work of the CTA. The Archdioceses of Toronto, Kingston and Ottawa, and the Dioceses of Alexandria, Hamilton, London, Pembroke, Sault Ste. Marie and Peterborough were all boasting active chapters by the end of 1932.⁵³ In the spring of 1933, Quinn commissioned a report on their general state of affairs. The "Report of the Committee on Organization and Publicity," chaired by James Day, submitted a brief of statistical findings to the General Committee on May 6. It listed four hundred and twenty-three parish chapters of the CTA throughout the province, including those from regular parishes, national churches and missions without permanent resident priests.⁵⁴ The local affiliate at St. Clare's Parish in Toronto, reporting a strong association by 1933 with over five hundred people turning out for its January 24 general parish meeting, was typical of the brand of association Quinn saw as needed to bring about political reform. Secretary James Muirhead noted to Quinn that the chapter met with its "Study Club" every Wednesday night, working to arouse interest in "the need for immediate Catholic Action."⁵⁵ E.J.

⁵² Kidd, to Quinn, July 15, 1933, Bishop Kidd Papers, JTK-14/HF 2-CTA/FF1/L39, DLA. See also *The Canadian Freeman*, May 31, 1934.

⁵³ "General Committee of the Catholic Taxpayer's Association – Diocesan Listing," December 12, 1932, CTAP, File 1, Series 46, MSSBA.

⁵⁴ James E. Day, "Report of the Committee on Organization and Publicity," May 6, 1933, CTAP, File 4, Series 46, MSSBA.

⁵⁵ Muirhead to Quinn, February 13, 1933, CTAP, File 4, Series 46, MSSBA. This same group passed a resolution offering full support for the General Committee of the CTA at its local

Collingwood, Secretary of the CTA local committee at Ottawa's St. Mary's Parish, remarked on the vigorous electoral machine active there and that CTA voting lists had been increased "considerably" after receiving permission to solicit the participation of the city's various religious communities.⁵⁶ Noting the fine work being done by the CTA in the archdiocese of Kingston in the summer of 1933, Archbishop O'Brien noted that "both priests and people seem to be on their toes and I am satisfied all are thoroughly aroused," adding further that "a solid, united front of 250,000 votes is not going to be despised by any party."⁵⁷

Organizational challenges, though, did surface in the home base of the CTA, the Archdiocese of Toronto. Day's report indicated that sixty-nine parishes in and around Toronto had no organized affiliates.⁵⁸ Subsequent investigation established that a core number of these "problem" parishes were ethnic in character.⁵⁹ Ever since Archbishop Fergus McEvay established the first Italian-Catholic parish of Our Lady of Mount Carmel in 1908, the "national churches" had posed special concerns for Toronto prelates. McEvay's untimely death in 1912 had brought Neil McNeil to Toronto, and, while continuing the practice, his attention had been drawn to the proselytizing efforts of local Methodist, Fascist and Communist groups among the numbers of Polish, Italian, and Lithuanian

meeting on February 7, 1934. See Muirhead to McNeil, February 9, 1934, Cardinal McGuigan Papers, MGSO20.295 (a), ARCAT.

⁵⁶ Collingwood to Quinn, May 10, 1934, CTAP, File 7, Series 46, MSSBA.

⁵⁷ O'Brien to McNeil, July 19, 1933; and September 3, 1933, Archbishop O'Brien Papers, "File 1933 - M, Mac," AKA.

⁵⁸ James E. Day, "Report of the Committee on Organization and Publicity," May 6, 1933, CTAP, File 4, Series 46, MSSBA.

Catholics under his spiritual care.⁶⁰ This had motivated his sponsorship of the inner-city missionary work of Baroness Catherine de Hueck in 1931.

A Russian immigrant to Canada during the 1920s, her evangelical zeal combined with a lifelong aversion to atheistic communism made her a natural ally for McNeil. As had been the case with Henry Somerville, he was drawn to her commitment to social justice initiatives, and encouraged her early attempts to form mendicant settlement houses in Toronto's immigrant ghettos.⁶¹ Sharing a distaste for social and economic injustice and an emotional desire to bring about change through appeals to intellect and reason, ready parallels emerge for McNeil's sponsorship of both de Hueck and Quinn. Where the baroness promoted the need for English language instruction and classes in Catholic Social Action to save immigrants from the easy snare of the communist halls, Quinn emphasized the role of the separate elementary school as meeting place and unifier for new Canadians:

It is a mistake to assume that the development of Canadian citizenship is hampered by the division of public schools into general public schools and separate public schools. In the case of the latter, the unity of religion gives the school a greater uniting influence. In Toronto, the pupil's of St. Mary's separate school are of fourteen racial origins, and in their homes they speak a similar variety of language; but the language of the school is English and

⁵⁹ "List of Parishes and Missions in Toronto Diocese from whom we have not yet received names of Parish Committees," August 26, 1932, CTAP, File 6, Series 46, MSSBA.

⁶⁰ McEvay erected a Polish parish, St. Stanislaus in 1911, while McNeil built St. Agnes (1913) and St. Clement's (1914) also for the Italian Catholics of Toronto. Notable studies of immigrant Catholic groups in Toronto include: John Zucchi, "The Catholic Church and the Italian Immigrant in Canada" in *Scalabrini Tra Vecchio E Nuovo Mondo*, (Rome: Centro Studi Emigrazione, 1989) and Zofia Shahrodi, "The Experience of Polish Catholics in the Archdiocese of Toronto, 1905-1935" in McGowan and Clarke eds., *Gathering Place*, pp. 141-154.

⁶¹ Beck, "Contrasting Approaches to Catholic Social Action" and Sharum, "A Strange Fire Burning." Both Quinn and de Hueck would see support for their endeavors set back with the death of Neil McNeil and the appointment of his successor, James McGuigan.

the books are Canadian.... The abolition of Separate Schools in Ontario would not result in sending our children to secular schools. The great majority of them would attend parish schools. An Italian parish would have a school for Italian children as in the United States; a Polish Parish would have a school for Polish children, and so on. In other words, the abolition of Separate Schools would greatly retard the process of Canadianizing the children of foreign immigrants.⁶²

In the long run both de Hueck and Quinn failed to gain the necessary cooperation needed within the ethnic parishes to fulfill their respective mandates. When questions arose as to the management and organization of her "Friendship Houses," de Hueck was, ultimately, abandoned by the ethnic clergy, forcing her to abandon the missionary apostolate in Toronto.⁶³ Notwithstanding some extraordinary efforts, there was no marked improvement by the spring of 1934 in CTA support from the national churches in the Archdiocese of Toronto. Despite attempts spanning the better part of two years, churches such as St. John the Evangelist (Lithuanian), St. Josaphat's (Ukrainian) and St. Agnes (Italian) had yet to form parish associations.⁶⁴

Failure in the national parishes though did not dampen the spirits of Quinn, who was proving to be a vigilant social critic. Referring to a recent

⁶² This was included in a circular letter published by the CTA for distribution throughout the province. See Quinn to "Dear Sir", Open Letter, February 15, 1933, CTAP, File 2, Series 46, MSSBA.

⁶³ Sharum, "A Strange Fire Burning," pp. 97-112.

⁶⁴ "Constitution for Polish Catholic Club in Toronto," Day, Ferguson, Wilson and Kelly, March 19, 1934, CTAP, File 4, Series 46, MSSBA. Using the considerable resource of his law firm to establish a "Polish Club" at St. Stanislaus Parish, James Day tried, unsuccessfully, to generate interest in the work of the CTA. In return for helping establish a formal constitution for the club, the representative of the Polish community, Mr. Nicholas Parubocki, promised "the committee will see to it that the names of naturalized Polish citizens are on the Voter's Lists." The listing of national parishes in the CTA Papers does not list resolutions from St. Stanislaus Parish.

statement by the Canadian League of Nations Society that "Canada is an example to the world of fair treatment of minority problems," his sense of injustice was palpable, and he made an immediate appeal for social and economic change:

The Catholics of Canada know that this statement is unfounded as far as Ontario is concerned. We have constitutional guarantees of support for Catholic schools in Ontario, but these guarantees are ignored... It may be that Protestants and Jews are in average three or four times more wealthy than Catholics, but when a school assessment seems to show that they are fifteen and a half times more wealthy, it simply means that the poor are taxed to pay for the education of the rich.⁶⁵

Despite Quinn's intensity and organization, bringing down the government would prove an enormous undertaking.⁶⁶

By the spring of 1934 only one matter now stood between the CTA and a direct political commitment to bringing down the Conservatives. The Premier's announcement on the last day of the legislative session in April of 1934, that specially formulated questions would be drawn up for the courts to address the issues raised in the CTA brief actually came as no surprise to Quinn. As early as February 1933, he presumed that Henry would take the "legal route" to deal with the matter.⁶⁷ The announcement had an immediate effect on Quinn, and as John

See Parubocki to Day, February 19, 1934 and "Resolutions Received From Toronto City Parishes," March 30, 1934, CTAP, File 4, Series 46, MSSBA.

⁶⁵ Handwritten letter, McNeil, no address, January 15, 1934, CTAP, File 3, Series 46, MSSBA.

⁶⁶ Public school supporters in different parts of the province were capable of being just as vocal as the Lodge in their opposition to "concessions" for Catholics. A meeting in St. John's Parish Hall in Kitchener on February 27, expressed "...unanimous opposition...against every concession demanded by separate schools, [and] the repeal of all concessions and amendments to the Separate School Act granted since Confederation." See *The Kitchener Daily Record*, February 28, 1934.

Saywell concludes, "Henry's statement pushed the Catholics towards intervention in the election."⁶⁸ Abandoning what faith he had left in the Conservatives' willingness to deal with the school tax question, Quinn confided to McNeil

...it is my fixed opinion that we have no alternative but to do everything possible to defeat the government. It is simply unthinkable that we should allow Henry to dally along for perhaps a month in the preparation of his "Question" and then waste another month in advertising and final submission to the courts, during which the election may be over.⁶⁹

In the words of one Christian Brother, the decision to go to the courts offered further evidence that the Tories were providing government "of the Lodges and by the Lodges and for the Lodges."⁷⁰

Sadly, Quinn was forced to embark on the last part of the campaign without his strongest supporter in the hierarchy, Neil McNeil. The archbishop's death on May 25, 1934 brought an end to the brand of staunch social justice advocacy that he championed within the CEC, and his absence would be felt in the tumultuous days that still lay ahead for both the school tax question and the CTA.⁷¹ The *Canadian Freeman* offered an homage to the man who had, perhaps more than any other, dedicated himself to the school tax question,

⁶⁷ "Personally I have no doubt that the policy of the Government is already definitely decided upon...a Commission, and one rather prominent Conservative has gone so far as to intimate that, if he chose, he could tell us the personnel of such a Commission." See Quinn to McNeil, February 14, 1933, CTAP, File 1, Series 46, MSSBA.

⁶⁸ Saywell, *Just Call Me Mitch*, p. 159.

⁶⁹ Quinn to McNeil, April 3, 1934, CTAP, File 4, Series 46, MSSBA.

⁷⁰ Brother Jarlath to O'Brien, April 6, 1934, Archbishop O'Brien Papers, "File 1934 – J,K,L," AKA.

recalling:

Archbishop McNeil was never dismayed or discouraged by the odds, and if today the situation has taken a turn that neither he nor the Catholics of the province desire, he may rest assured that his name is held in benediction and that he has earned the love and the gratitude of the Catholic people.⁷²

While Quinn surely bemoaned the loss of McNeil, and the subsequent illnesses of both O'Brien and John T. McNally, the Bishop of Hamilton, he was now, in the last weeks of May and June, freed from any ecclesiastical restraints in his drive to mount a full-fledged political campaign.⁷³

⁷¹ Both Charles McCrea, the lone Catholic representative in Cabinet, and Henry attended the funeral for Archbishop McNeil. See Carroll to McCrea, June 2, 1934, Archbishop McNeil Papers, MNAE11.06, ARCAT.

⁷² *The Canadian Freeman*, April 26, 1934. From his deathbed, McNeil was not quite so optimistic, holding out the portent of a dark future for the separate schools of Ontario in his statement that "failure in preparation this time would be accepted as proof by the majority that Catholics are unable to unite on any issue." See McNeil to O'Brien, April 25, 1934, Archbishop O'Brien Papers, "File 1934 - Mc," AKA.

⁷³ In a letter to the Superior of the General Hospital in Sault Ste. Marie, Quinn remarked that "the death of the Archbishop of Toronto, the serious illness of Archbishop O'Brien, and the sudden operation of the Bishop of Hamilton for appendicitis yesterday afternoon adds difficulties to the plan of action which we hope to have taken." See Quinn to Sister M. Dorothea, June 2, 1934, File 7, CTAP, MSSBA. Op. cit. Walker, *Catholic Education and Politics*, vol. II, p. 397.

Chapter Four

“Understanding the Mind and Heart” of Ontario

Mitchell Hepburn and The 1934 Provincial Election

While Archbishops McNeil and Forbes were originally responsible for handing the agitation for school tax reform over to the laymen, the CTA had, nonetheless, come into being under a cloud of religious suspicion. Catholic Action was still a relatively new initiative in Ontario and at least some among the clergy bridled at the notion of lay empowerment. Relying heavily on the local priests to encourage the organization of parish associations, Quinn was dismayed by the skepticism and negativity he encountered in different parts of the province. In the Archdiocese of Toronto only twelve of eighty-four parishes had formed local chapters of the CTA by March of 1932.¹ When Monsignor J.L. Hand of St. Paul's Church was quoted as saying the laymen would have to “paddle their own canoe,” Quinn accused the priest of having “...studiously avoided rendering any assistance to the movement.”² That summer, Rev. R.J. Coyle of the town of Morrisburg, south of Ottawa, complained to Bishop Kidd of the “disorganized mess” they would make of the Catholic position in the school tax question.³ The situation was most bleak in Ottawa, where only one of the

¹ McNeil to Parish Priests, March 8, 1932, CTAP, File 4, Series 46, MSSBA.

² Quinn to Rt. Rev. Monsignor. J.L. Hand, November 14, 1933, CTAP, File 6, Series 46, MSSBA.

sixty-five parishes in the archdiocese had assembled local committees. Here the pastor of Blessed Sacrament Church, Rev. John O’Gorman, challenged the “interference” of the CTA, lecturing Quinn that “I was writing and publishing articles on the question ten years before the majority of your committee knew the ABC’s of the Question.”⁴

The hierarchy also had their reservations. In the spring of 1932, the endless stream of CTA directives from Toronto frustrated Archbishop O’Brien of Kingston into remarking “...I do not want the committee to think that lay action is something that should or can discard the Bishops.”⁵ Even McNeil had admitted to being “wary” of Quinn’s abrasive but determined leadership.⁶ The key voice of dissent however, was the Bishop of Hamilton, J.T. McNally. On the strength of his reputation as a staunch defender of separate schools, he had been the logical choice of the Ontario bishops to write their circular letter to the parish priests in the fall of 1931.⁷ After a lengthy delay, McNally declined the invitation, noting “I do not wish to take part in a letter whose purport is agitation rather than

³ Rev. Fr. R.J. Coyle to Kidd, June 8, 1932, Bishop Kidd Papers, JTK – 14/HF 1 CTA/FF1/L20, DLA.

⁴ Quinn to Scott, September 20, 1932, Quinn to “The Rev. Pastors of the Diocese of Ottawa,” September 23, 1932, Rev. John O’Gorman to Quinn, January 9, 1933 and Quinn to O’Gorman, January 11, 1933, Archbishop Forbes Papers, File “Catholic Taxpayer’s Association,” MG 22, AOA.

⁵ O’Brien to McNeil, April 19, 1932, CTAP, File 3, Series 46, MSSBA.

⁶ McNeil to Lynch-Staunton, December 23, 1932, CTAP, File 3, Series 46, MSSBA.

⁷ Bishop Denis O’Connor to McNeil, January 26, 1931, Archbishop O’Brien Papers, File “1931 M-Mac”, AAK. See also McNally to McNeil, May 19, 1931, Catholic Education Papers, EDSP05.17, ARCAT. McNally’s “Pastoral Letter on Education” was published in *The Catholic Voice*, December, 1930.

instruction.”⁸ Composing it himself, McNeil compelled the reluctant bishop to affix his signature to the joint pastoral directive that would ultimately lay the groundwork for the creation of the CTA in each diocese.⁹ The loss of even one bishop however was potentially disastrous for the fledgling agitation. With Fallon's death in 1931, there were already few left among the Ontario hierarchy with either the experience or knowledge necessary to adequately defend the Catholic position in the school tax question. While ecclesiastical support was critical to Quinn's plan for a united parish campaign, he soon tired of McNally's obstinacy. By 1933 Hamilton still had only very few diocesan committees and had offered none of the financial assistance to the CTA that had been forthcoming from other dioceses, prompting him to accuse the bishop of being immersed in his plan to construct Hamilton's new Christ the King Cathedral to the exclusion of all other concerns.¹⁰

To challenge priests and bishops would be extraordinary for most laymen, yet not at all out of character for Martin Quinn. A devout Catholic, he nonetheless harboured a lifetime's worth of frustration and resentment towards the clergy. His 1945 memoir, The Frustration of Lay Catholic Effort, which draws heavily on his experiences as both the General Chairman of the CTA and a

⁸ McNeil to O'Brien, May 20, 1931, O'Brien to McNally, May 28, 1931, Bishop Denis O'Connor to O'Brien, June 1, 1931 Archbishop O'Brien Papers, File "1931 M-Mac", AAK.

⁹ "Private and Confidential – Bishops' Circular Letter to the Right Reverend, Very Reverend and Reverend Clergy of the Province of Ontario," September 30, 1931, Cardinal McGuigan Papers, MGS020.285 (a), ARCAT.

¹⁰ McNeil to Parish Priests, March 8, 1932, CTAP, File 4, Series 46, MSSBA. See also Kernanhan to McNally, February 7, 1933 and James E. Day to McNally, March 28, 1932, Bishop McNally Papers, File "Catholic Taxpayer's Association," DHA, Kidd to Kernahan, October 19,

parishioner at St. Cecilia's Church in the Toronto Junction, exposes the full range of his censure. Offering numerous examples of unnamed local parishes that had undertaken costly renovations during the leanest years of the Great Depression, he accused certain members of the Toronto clergy of the "...the wildest and most wasteful expenditures to be found in connection with any religious group in the country."¹¹ More than ruinous spending, Quinn particularly disdained the lack of ecclesiastical accountability in the archdiocese, concluding "...while the laity are constantly called upon to furnish large sums of money, they are given no opportunity whatsoever to protect it, or to see that a dollar's worth of value is obtained for every dollar expended."¹²

The story of his experience with Toronto's St. Michael's Cemetery more directly foreshadows the very emotional commitment to lay Catholic activism that would mark Quinn's later years. Centrally located today south of St. Clair Avenue between Yonge Street and Avenue Road, the cemetery had been the traditional burying place for the city's Catholic community since 1855. For more than forty years Quinn had paid the Archdiocese for the maintenance of his parents graves, and those of other family members, only to see them neglected and overgrown. When McNeil approved the sale to commercial developers of the cemetery's Yonge Street entrance in the 1920s, essentially limiting its access

1932, McNeil to Kidd, August 20, 1932, Bishop Kidd Papers, JTK – 14/HF/1 CTA/FF1/L30, 41, DLA, Quinn to McNeil, February 7, 1933, CTAP, File 1, Series 46, MSSBA.

¹¹ Quinn, Frustration, p. 8.

¹² Quinn, Frustration, p. 8. With regard to bank financing for such projects, Quinn cites a Toronto loan manager as remarking "they [the banks] know that if the priest cannot pay it back, the Bishop will pay it and take it from the rest of you." See Quinn, Frustration, p.9.

and closing it to public view, insult quickly turned to injury.¹³ Ensuing construction on the property led to what Quinn described as the “common knowledge” desecration of numerous graves on the east border of the cemetery. Implying his leading role in protesting this “ghoulish proceeding,” Quinn emphatically claimed

I am in a position to say that the Archbishop responsible for that ghoulish proceeding was, during the next several years (as the information reached wider and wider fields), in receipt of some of the most bitter protests ever penned to a member of the Hierarchy, not one of which, I am personally convinced, was unjustified.¹⁴

In the end, determined not to allow his family face a similarly ignominious end, Quinn had the remains of Martin H. and Romona Quinn, two of his children who had died as youths, exhumed and re-interred at Mount Hope Cemetery in the north end of the city.¹⁵

Published four years before his death, Frustration's retrospective approach places Quinn's involvement with the school tax question in an

¹³ Most Rev. Armand Francois Marie Comte de Charbonnel, second Bishop of Toronto, opened the cemetery, in Toronto's Deer Park area, in 1857. The Yonge Street frontage was sold to the Glen-Yonge Development Company under the Archdiocesan administration of Archbishop Neil McNeil. Archdiocesan historian Rev. Edward Jackman offers an interesting perspective on Quinn's complaint that graves in the cemetery were left untended, remarking that "originally, most grave lots were privately owned by the families of the deceased who would in turn help maintain them. Hence the old custom of fencing off so many grave stones. But as families left the area many plots were left unattended. In the early 1930's Dr. Muckle of St. Michael's Cathedral assumed the maintenance of the cemetery. Eventually most of the railings around the stones were taken down, the stones uprighted, and the overgrowth removed so that the Cemetery took on the fine appearance that it has today." See Rev. Edward Jackman, o.p., "The Growth of Catholic Cemeteries in the Archdiocese of Toronto", in A Quiet, Gentle Surprise - A History of Saint Michael's Cemetery, Toronto, Ontario, Canada (Toronto: Catholic Cemeteries Association, 1980), p. 12.

¹⁴ Quinn, Frustration, p. 9.

¹⁵ This is confirmed by the Lot Registry from Mount Hope Cemetery, which lists the date of purchase as October 21, 1924, and the re-interring in "one shell," of Martin H. and Ramona J. Quinn, on October 30, 1925. See Lot Registry, Martin J. Quinn, Mount Hope Cemetery, Toronto.

interesting light. In one sense we are presented with the hubristic figure of a man bent on the completion of a singular task that would ultimately sit just beyond his reach. As an early crusader for lay autonomy, he articulately championed the need for separate spheres within the Church, between the domains of the clergy and the laity, each with clearly defined parameters aligned to their respective areas of expertise. Sadly, his single-mindedness here, too, would stand in the way of the CTA's ultimate success in Protestant Ontario. Quinn failed to grasp the central irony of his conviction: that his call for these spheres paralleled the opposition of public school supporters to the linking of church and state in the realm of publicly funded education. For the time being, however, sensing a changing electoral tide in the province, ideals would not get in the way of his purpose. Quinn's thoughtfully cultivated relationship with the Archbishop of Toronto soon bore fruit, forging a partnership between the clergy and the laity that would, in a brief course of time, serve the interests of each.

In order to bring the discordant religious elements among both the priests and bishops into line, Quinn approached Neil McNeil apologetically in the summer of 1932, asking for and receiving his support in strengthening the number of parish associations in the Archdiocese of Toronto. It was not long before that support was expanded to include his brother bishops in dioceses across the province.¹⁶ Counting scores of doctors, lawyers and established businessmen among their numbers, the hierarchy came to understand the

¹⁶ Quinn is actually forgiving of some of the early clerical misgivings, remarking, "... in the last analysis, this was intended to be a layman's movement." See Quinn to McNeil, June 9, 1932 and Quinn to Scott, April 11, 1932, CTAP, Files 3 and 4, Series 46, MSSBA. See also McNeil to

advantages of these "lay specialists."¹⁷ The formidable administrative structure and propaganda output from the CTA had already far outstripped their previous efforts through the CEC or the SSAAC to bring public attention to the school tax question. Soon the three archbishops of the province, McNeil, Forbes and O'Brien, agreed with Quinn's request for a financing arrangement for the CTA. A diocesan levy would provide the basis of support for the movement, including goals for each archdiocese and diocese to be achieved through regular parish collections.¹⁸ While Quinn paid out of pocket for most secretarial services, an operating budget was established and McNeil provided office space free of charge in the Catholic Office Building on Bond Street (Appendix 4.A).¹⁹

Holding forth the promise of a "... living, virile, determined organization that will not calmly submit to the dictations of the noisy, drum-thumping opposition," the CTA embarked on a revitalized campaign in 1933.²⁰ Markedly

Parish Priests, March 8, 1932, McNeil to "Rev. and Dear Fr.," September 15, November 2, 1932 and February 1, 1933, CTAP, File 4, Series 46, MSSBA.

¹⁷ McNeil to Forbes, January 5, 1929, Archbishop Forbes Papers, File "Catholic Educational Committee," MG 22, AOA.

¹⁸ James E. Day to McNally, March 28, 1932, Kernahan to McNally, February 7, 1933, Bishop McNally Papers, File "Catholic Taxpayer's Association," DHA. See also Quinn to Scott, April 11, 1932, Quinn to McNeil, February 7, 1933, CTAP, Files 3 and 7, Series 46, MSSBA and Rev. J. Coyle to Kidd, June 8, 1932, Kidd to Kernahan, October 19, 1932, Quinn to McNeil, July 10, 1933, Bishop Kidd Papers, JTK 14/HF 1-2 CTA/FF/L20, 41 and 35, DLA.

¹⁹ Auditor's Certificate, C.J. McCabe, C.A., "Catholic Taxpayer's Association of Ontario – Statement of Receipts and Disbursements, March 21, 1932 to June 27, 1934," Archbishop McNeil Papers, MNAE11.10, ARCAT.

²⁰ Quinn to McCrea, February 3, 1933, copied to the Ontario Bishops, CTAP, File 1, Series 46, MSSBA. See also Quinn to McNeil, July 10, 1933, Bishop Kidd Papers, JTK 14/HF 2 CTA/FF1/L35, DLA. Quinn even complained that "...the priests, in a large number of instances, have not fully realized the bearing that failure or success of the present movement will have upon the future of our people. They appear to consider it only in the light of the amount of actual cost that might be involved in certain parishes or districts in which they have a direct interest, and in fact, I have been told that in certain places, where a fair and amicable arrangement already

improved public support of the laymen from McNeil, Kidd and O'Brien especially, virtually ended any public criticism from the Ontario clergy.²¹ At a special meeting of the hierarchy held during the Plenary Sessions of the Canadian Bishops in Quebec on October 4-5, they passed a joint resolution unanimously endorsing the CTA and singling out Quinn for special commendation.²²

Anticipating the political battle that would soon be at hand, they issued a province-wide directive that fall, ordering Catholics to ensure that their names appeared on voter registration lists.²³ With Henry's announcement that he would avoid the legislative approach to the school tax question by going to the courts, the bishops called an emergency meeting at McNeil's Palace on April 10, 1934.²⁴ Concluding on the need for a united show of support for the CTA going into the next provincial election, no less a figure than Bishop McNally moved that "...an expression of thanks be conveyed from this meeting to the Catholic Taxpayer's Association for the work they have done and encouraging them to continue prudently and unrelentingly."²⁵

exists, the opinion has been expressed that the matter should not be discussed at all." See Quinn to O'Brien, August 29, 1933, Archbishop O'Brien Papers, File "1933 P-Q-R," AKA.

²¹ O'Brien to Quinn, June 7, 1933, Kidd to Quinn, October 27, 1933, CTAP, File 6, Series 46, MSSBA. See also Kidd to Quinn, July 15, 1933, Bishop Kidd Papers, JTK-14/HF 2 CTA/FF1/L38, DLA and McNeil to Quinn, March 15, 1933, CTAP, File 4, Series 46, MSSBA.

²² Quinn to Forbes, August 31, 1933 and Couturier to Forbes, September 14, 1933, Archbishop Forbes Papers, File "Catholic Taxpayer's Association," MG 22, AOA. See also Couturier to Kidd, October 14, 1933, Bishop Kidd Papers, JTK – 14/HF 2 CTA/FF1/L43, DLA.

²³ "All, both men and women, who will have reached the age of twenty-one by election time should be exhorted to see that their names are on the voters lists when registration time is announced." See McNeil, Forbes and O'Brien, "Letter to the Faithful," November 18, 1933, Archbishop O'Brien Papers, File "1933 C-D," AAK.

²⁴ Bishop Denis O'Connor to O'Brien, April 2, 1934, Archbishop O'Brien Papers, File "1934 N-O-P," AAK.

Quinn was now more convinced than ever in the political might of Catholic Action. Remarking that "...the unanimity of favourable opinion regarding our course, and the probability that the Catholic people will follow our advice, is the most inspiring thing that has happened in connection with our work for a long time," he was now prepared to take the campaign to a new level.²⁶ Still publicly showing faith in the Henry government, he was bolstered in the spring of 1934 by the furtive encouragement of provincial Liberal leader Mitchell Hepburn. Quinn recalled that while negotiations were still ongoing with the Conservatives in 1933, Hepburn had agreed not to oppose any new separate school legislation, removing "...the last possible cause for the failure of the government to act."²⁷ Although no public commitment from the Liberal leader would be forthcoming,

²⁵ A rumoured election in May or June prompted Quinn to write to Archbishop O'Brien "...we have in prospect an immediate and tense campaign, and one in which our success or failure is going to depend largely upon the effectiveness of the work of the clergy." See Quinn to O'Brien, March 23, 1934 and See also Quinn to General Committee, Catholic Taxpayer's Association, April 16, 1934, CTAP, File 3, Series 46, MSSBA. McNally seems to have softened his position somewhat with regard to the CTA in the spring of 1933, remarking to O'Brien that "I am entirely with you in whatever measures of condemnation you may agree upon for the Henry Government in its treatment of our school demands." See McNally to O'Brien, May 8, 1933, File "1933 M-Mac", AKA. With a Pontifical High Mass on Tuesday, December 19, 1933, marking the official opening of Hamilton's new Christ the King Cathedral, McNally began to show more interest in the school tax question. See McNally to O'Brien, undated – 1933, Archbishop O'Brien Papers, File "1933 M-Mac," AAK. Still expressing his differences with the CTA though, he noted to Kidd a week prior to the special session in Toronto that it would be "child-like stupidity" to hand over control of the school tax question to the lay men entirely. See McNally to Kidd, April 2, 1934, Bishop Kidd Papers, JTK – 14/HF 3 CTA/FF1/L8, DLA. He also referred to discussions he held with Senator Lynch-Staunton, who remarked on the political naiveté of Martin Quinn in accepting the assurances of the provincial Liberals. See McNally to Kidd, April 2, 1934, Bishop Kidd Papers, JTK – 14/HF 3 CTA/FF1/L8, DLA.

²⁶ Quinn to Forbes, May 14, 1934, Archbishop McNeil Papers, MNAE11.03, ARCAT.

²⁷ He noted that he had mentioned this to the Attorney General, W.H. Price and that he had the agreement of Hepburn and former Liberal leader W.E.N. Sinclair. The Conservatives had had their chance to do something when Liberal MLA Sinclair "...had taken the almost unprecedented act in connection with the whole matter, by going across the floor of the House and assuring the PM personally that any legislation brought down in connection with the matter would receive his support and that of the Opposition." See Quinn to Lynch-Staunton, October 27, 1933, Archbishop Forbes Papers, File "CTA", MG 22, AOA. See also Quinn to Hepburn, January

Quinn noted that Hepburn had repeated his position in conversations with prominent Catholics throughout the province.²⁸

Certainly Ontario Liberals, familiar with the brash and outspoken politician who wrested the provincial leadership from “dry-Liberal” W.E. Sinclair during the 1930 convention, understood Hepburn’s immense capacity for vacillation.²⁹ He had cut his political teeth as federal M.P. for the south-western Ontario riding of Elgin on the sort of non-committal, anti-Conservative diatribe used with particular force by his federal counterpart, William Lyon Mackenzie King. In fact it had been King, responding to the renewed interest in the school tax question raised by the CTA in 1932, who first suggested Hepburn waiver on the issue. Focusing on a provincial referendum to deal with the less emotional temperance issue of selling beer and wine in hotels, would, he pleaded, be all the controversy he need engage.³⁰ Neil McKenty frames the political capacities of the man best, concluding

Hepburn had the astonishing ability to take a complicated issue, translate it into easily grasped bread and butter language, dramatize it, and wrap it in emotional overtones. He had as well

21, 1933, Quinn to Hepburn, February 1, 1933, Hepburn to Quinn, February 2, 1933 and Quinn to Hepburn, February 3, 1933, Hepburn Papers, MU4953, OA.

²⁸ Quinn noted that that he had engaged in discussions with the Liberal leader and “... I had taken the precaution to arrange for similar conferences between Mr. Hepburn and certain Catholics in various parts of the province, so that the evidence of just what had been promised would be available in such a way as to make it impossible for him, if he desired to do so, to evade his responsibilities.” See Quinn to Lynch-Staunton, October 23, 1933, Archbishop Forbes Papers, File “CTA”, MG 22, AOA. In considering the Liberal overtures to the CTA in 1933, Quinn naively remarked of the school tax question that there was “...not the slightest danger of the matter becoming a political issue.” See Quinn to J.L. Murray, March 10, 1933, CTAP, File 7, Series 46, MSSBA.

²⁹ John Saywell notes that Quinn had lost interest in the provincial Liberals in the 1920’s, calling them a “haven for every quack and crank in the country.” Saywell, “Just Call Me Mitch”, p. 46.

³⁰ Mackenzie King to Hepburn, September 16, 1932, Hepburn Papers, MU4935, AO.

the priceless gift of establishing almost immediate rapport with “the little man,” and the “have-nots,” a power unmatched by any other Ontario politician in the hungry thirties.³¹

In less abstract terms, John Saywell sees Hepburn’s entry to the provincial arena as being marked by a definite, if undefined, “swing to the left.”³² If this were the case, nowhere would it be more apparent in Conservative Ontario than in his relationship to the school tax question.

By the spring of 1934, Liberals were lining up on both sides of the religious fence in order to advise the man who would be Ontario’s next premier. Liberal campaign organizer W.R. “Percy” Parker, one of Hepburn’s closest political confidants, thought the issue potentially so divisive that the matter of fielding Catholic candidates in the upcoming election would have to be carefully considered.³³ In contrast, lawyer Patrick Donnelly argued for the traditional party loyalty of Toronto Catholics, complaining to Hepburn that he was being pressured to withdraw as the official Liberal candidate for the Toronto riding of St. David’s on the basis of his religion.³⁴ T. Murray Mulligan, K.C., a member of the CTA General Committee from Sudbury and also a friend of Hepburn’s, advised

³¹ McKenty, Mitch Hepburn, p. 54.

³² Saywell, “Just Call Me Mitch”, p. 93.

³³ Parker cited the example of High Park, noting that the riding would definitely go to the Liberals as long as they did not field a Catholic candidate. See Parker to Hepburn, February 6, 1934, Hepburn Papers, MU4912, AO.

³⁴ Donnelly noted that Parker and Frank O’Connor had been particularly forceful, visiting his home “...to persuade me to withdraw on certain considerations, which I indignantly refused to even consider.” See Donnelly to Hepburn, March 17, 1934, Hepburn Papers, MU4913, AO.

him to move forwards with the school tax question and to attempt to settle the issue "...on the principles of equity and justice."³⁵

Though reluctant to make any public commitments, it is clear that Hepburn did feel personally disposed to do something for "those who eat fish on Friday."³⁶ He counted prominent Roman Catholics such as Frank O'Connor, the millionaire owner of Laura Secord's, federal M.P. Peter Heenan and Liberal Senator W.H. McGuire among his closest friends, and through them continued to quietly court the CTA through 1934. McGuire was particularly aggressive in this regard, having arranged a closed-door meeting between Quinn and Hepburn at the Ontario Liberal Party Headquarters on King Street in March of 1933. According to Quinn, the Opposition Leader went so far as to promise to bring in a new separate school bill during his first legislative session as premier.³⁷ Though frustrated with Hepburn's taciturnity on the school tax question after better than a

³⁵ Mulligan also submitted a form entitled "Re: Separate School Tax Question" for Hepburn's consideration, suggesting that the Liberal leader affix his signature to it as a sign of his clear intent to work with the CTA. It includes the statement: "If I am the next Premier of this province and the question is referred to the Government, it shall be considered from all angles and an effort made to settle the issue in justice to all parties. In my opinion the purpose of a Government is to govern and not shirk the responsibilities of office." See Mulligan to Hepburn, April 3, 1934, Hepburn Papers, MU4913, AO.

³⁶ McKenty, Mitch Hepburn, p.79.

³⁷ Martin J. Quinn, "Catholics Are Counted But They Don't Count," 1938, p. 6. See also Quinn to McGuire, March 9, 1934, Cardinal McGuigan Papers, MGSO20.29 (b), ARCAT. Hepburn went so far as to publicly deny that the CTA had ever approached him for a commitment to the school tax question. Following a Liberal rally at Massey Hall on June 16, 1934, Hepburn was quoted as saying "Our Catholic friends have never approached me on the separate school question, but if they do, they will get every consideration that one of liberal mind can give to a minority." See *The Globe*, June 18, 1934. Quinn had a markedly different recollection however: "There was nothing vague or indefinite about Mr. Hepburn's replies to the two questions I asked him. Namely his "definite" promise to support a separate school bill if Henry could be convinced to introduce one in the legislature and if not, Hepburn promised to introduce his own bill during his first session after elected as premier." See Quinn to McGuire, April 24, 1935, Cardinal McGuigan Papers, MGSO20.12 (c), ARCAT.

year of discussions with the CTA, Quinn was now prepared to move forward. Later that month he noted to Rev. Dean Trainor of Sudbury "we are in an assured position in so far as the Liberal Party is concerned."³⁸ His circular letter to the parish priests in May directed them to sermonize the importance of civic duty and to discuss the potential advantages of block voting. Pleading for an increase in voter turnout of 100-200%, he closed with a portent for the future: "If the Catholic people live up to the hopes and expectations of the Taxpayer's Association, we will present a united front that for many a year to come will command the respect and fear of politicians of every political stripe."³⁹

In keeping with the plan he put forward in "Some Pertinent Facts," Quinn would not formally break with the Conservatives until the last minute, allowing every possible opportunity for them to deal with the issue during the present legislative session. While local CTA affiliates from across the province were demanding a definitive position, Quinn was methodically patient:

We are conscious of a good deal of impatience on the part of our people all over the province...in due course our position will be made plain, and we have every reason to believe that the Catholic vote to be cast at the next election will be at least twice as great as any other cast before in the history of the province.⁴⁰

A questionnaire sent out to parish priests in early May of 1934 attests to the administrative strength of the CTA at this time, the efficiency of its organization, and to a degree, the democratic principles involved in its formulation of policy.

³⁸ Quinn to Rev. Dean Trainor, unspecified date, March, 1934, CTAP, File 5, Series 46, MSSBA.

³⁹ Circular Letter, Quinn to "Parish Priests," May 16, 1934, Archbishop McNeil Papers, MNAE11.25, ARCAT.

Estimating that 70% of the parishes had replied within two weeks, Quinn was encouraged by the near unanimity of opinion agreed on the need to bring down the government.⁴¹ The layman's organization could not afford to lose any support, and in this regard, James Day sent out a circular letter to the heads of the various Roman Catholic religious communities of Ontario asking for their cooperation, especially that they register themselves and vote.⁴² Ranging cooperation from across the province was soon evident to Quinn and the CTA, lending credence to his public claim that Catholics were responding to the call. The Mother Superior of the General Hospital in Sault Ste. Marie, Rev. Sr. M. Dorothea, informed James Day that "Sisters, Student Nurses and Helpers" had been preparing for this election for two years, ensuring their names were on the proper enumeration lists: "Union is strength. Let us hope and pray that our united effort may be crowned with success and that our Catholics will realize that there really is something in Catholic Action."⁴³

⁴⁰ Quinn to Forbes, May 14, 1934, Archbishop McNeil Papers, MNAE11.03, ARCAT.

⁴¹ Quinn stated "...the unanimity of favourable opinion regarding our course and the probability that the Catholic people will follow our advice, is the most inspiring thing that has happened in connection with our work for a long time." See Quinn to Forbes, May 14, 1934, Archbishop McNeil Papers, MNAE11.03, ARCAT. In a circular letter to the parish priests, Quinn thanked them for their efficiency and "...the unanimity of agreement that exceeded our most sanguine expectations, and, beyond any other incident in the campaign, has inspired us to persist vigorously to the end." See Quinn to Parish Priests, May 16, 1934, Archbishop McNeil Papers, MNAE11.25, ARCAT.

⁴² Circular Letter, James E. Day to "The Heads of the Religious Communities of Ontario," May 21, 1934, CTAP, File 7, Series 46, MSSBA.

⁴³ Rev. Sr. M. Dorothea to James Day, June 8, 1934, CTAP, File 7, Series 46, MSSBA.

By the end of May Quinn felt confident enough in his support from the local affiliates across the province to publicly break with the Conservatives.⁴⁴ His parish circular letter of May 29, made this perfectly clear:

...the proposal of the Government to submit stated questions to the Court is regarded as merely a final attempt to side-step their very definite responsibility. A VOTE FOR AN INDEPENDENT CANDIDATE IS A VOTE LOST – WE CANNOT AFFORD TO LOSE ANY VOTES.⁴⁵

Stating adamantly that no other route than legislative change along the lines of the Quebec Plan would be acceptable, he concluded, "...the Government is the only source from which relief can come, and the responsibility for fair treatment of 25% of Ontario's population rests entirely upon it."⁴⁶

The laity, like the clergy, could be fractious and the Quinn letter sent a brief groundswell through the movement among Conservative Catholics. This was enabled by James Day's admission to the *Mail and Empire* on June 15 that the General Committee had never approved it.⁴⁷ Most disdained the CTA breaking faith with their party, usually framing their concerns in heated debate over the very politicization of Catholic Action. C.P. McTague of Windsor, who had made a name for himself as the lead Catholic stockholder in the SSAAC's

⁴⁴ He remarked "...it has become perfectly obvious that we will never receive consideration at the hands of a party so abjectly subject to the demands of the Orange Order. Our only hope lies in defeating them, and in my opinion there can be absolutely no doubt of that result at the coming election." See Quinn to Forbes, May 14, 1934, Archbishop McNeil Papers, MNAE11.03, ARCAT.

⁴⁵ Circular Letter, Quinn to "Parish Chairman", May 29, 1934, CTAP, File 4, Series 46, MSSBA.

⁴⁶ Ibid.

Ambassador Bridge Case, resigned from the General Committee on election day.⁴⁸ In Ottawa, J. Ambrose O'Brien immediately tendered his resignation, promising to "...denounce in any manner I see fit any and all attempts to turn the CTA into a political organization."⁴⁹

Agreed solely on the need for school tax reform, the members of the CTA were themselves anything but politically homogeneous; and, their different attitudes in this regard had long proven a challenge to the united front that Quinn had demanded. Senator George Lynch-Staunton of Hamilton had been McNeil's first choice to lead the CTA due to his strong connections to the Conservative Party in Ontario. Ultimately, he stepped down as Chairman in the spring of 1932 after clashing with Quinn over the "unnecessary" establishment of a permanent executive and parish subdivisions that he felt would deter backroom negotiations with the government.⁵⁰ As the CTA moved closer to an association with Hepburn in the fall of 1933, Lynch-Staunton continued to lobby for the Tories from the sidelines. He opposed the Quebec Plan, favouring corporation tax allocation on the basis of a percentage of the assessed property of Catholics in school districts. Accusing Quinn of political naiveté for thinking his party would be any

⁴⁷ Quinn to James E. Day, July 27, 1933, CTAP, File 5, Series 46, MSSBA and *The Mail and Empire*, June 15, 1934. Quinn had been warned in the past about sending out letters without approval. See James E. Day to Quinn, undated, File 5, Series 46, MSSBA.

⁴⁸ Mr. John M. Lalor to Quinn, July 26, 1934; Quinn to Lalor, August 8, 1934, Hepburn Papers, RG - 3 - 10 - 0 - 35, AO. See also Scott to Henri St. Jacques, June 13, 1934, CTAP, File 4, Series 46, MSSBA and McTague to Kidd, April 3, 1934, Bishop Kidd Papers, JTK - 14/HF 1/FF1/L7, DLA and *The Mail and Empire*, June 19, 1934.

⁴⁹ J. Ambrose O'Brien to Quinn, May 30, 1934, Hepburn Papers, RG 3 - 10 - 0 - 35, OA.

⁵⁰ Quinn to McNeil, January 12, 1932; Quinn to McNeil, March 22, 1932, Quinn to Lynch-Staunton, March 21, 1932 and James E. Day to McNeil, March 28, 1932, CTAP, File 1, Series 46, MSSBA.

more likely than the Conservatives to address the controversial school tax question head-on, he charged

I have not yet found a Liberal who was willing to have his party take the risk of publicly endorsing this proposal. They all feel so cocksure that the Liberals are going to get into power and the jobs will be open to them that they will take no risk.⁵¹

His appointment by Henry as the Catholic representative on the panel chosen to frame the legal questions in deciding the fate of the school tax question would place the two once again at odds, further charging the new Liberal-CTA affiliation.

The Minister of Mines, Charles McCrea was also a Conservative partisan who placed party before Church. The incumbent for the northern Ontario district of Sudbury, he had held the riding, including an acclamation in 1929, for twenty-three years. During that time he established a niche as the lead Catholic in the cabinets of both Howard Ferguson and George Henry, and accorded himself at least some of the credit for the renewed Catholic interest in the Conservative Party evidenced by the provincial election of 1929. While it had been Ferguson's virtual nullification of Regulation 17 and the promise of increased grants for separate schools that had secured the Catholic vote, McCrea basked in the glory afforded him by this brief show of sectarian allegiance. In 1930 he claimed that the Conservative-Catholic alliance had never been stronger in the province,

⁵¹ Lynch-Staunton to Quinn, October 11, 1933, Lynch-Staunton to Quinn, October 26, 1933 and Lynch-Staunton to McNeil, December 23, 1933, CTAP, File 3, Series 46, MSSBA.

boasting to federal leader R.B. Bennett that the party had the support of at least 90% of his co-religionists.⁵²

Unmoved by the CTA's formal legislative brief presentation in January of 1933, McCrea's recalcitrance became increasingly troubling for Quinn. The man now widely regarded as the "representative of the Roman Catholic people in cabinet" maintained his silence on the school tax question until the spring of 1934.⁵³ Addressing Quinn's public charge that the framing of the legal questions was being purposefully delayed by the Conservatives, McCrea appealed to the Archdiocesan Administrator in Toronto, Rev. Francis Carroll, refuting "the suggestion...in irresponsible quarters that perhaps the delay in returning was intended to retard framing of the questions." Explaining the absence of Arthur Tilly, the Protestant appointee to the panel, due to cataract surgery in Switzerland, and Lynch Staunton's yearly trip to attend to the affairs of his family estate in Ireland, he excused his party from any wrongdoing.⁵⁴ As far as the CTA was concerned however, Charles McCrea had shown himself to be a party man through and through, and few Catholics interested in the separate school

⁵² McCrea to Bennett, March 31, 1930, Henry Papers, Box 202, AO.

⁵³ Quinn to McCrea, May 25, 1933, Archbishop Forbes Papers, File "Catholic Taxpayer's Association," MG 22, AOA. In a precursor to his Knights of Columbus speech the next month, Quinn threatened to use the power of 250,000 to convince McCrea that the CTA meant business. See Quinn to McCrea, February 1, 1933, CTAP, File 1, Series 46, MSSBA. He later softened his stance to McCrea, noting "I have not the slightest desire or inclination to favour the Liberals as against the Conservatives, and so far as I know, that is true of every influential member of the executive." See Quinn to McCrea, May 25, 1933, Archbishop Forbes Papers, File "Catholic Taxpayer's Association," MG 22, AOA. Quinn repeated the claim to McCrea the following spring. See Quinn to McCrea, March 14, 1934, CTAP, File 4, Series 46, MSSBA.

⁵⁴ McCrea to Carroll, April 17, 1934, Archbishop McNeil Papers, MNAE11.05, ARCAT.

issue would have disagreed with the *Eganville Leader's* estimation of him that June as a "...mere time-serving politician."⁵⁵

Catholic Liberals had also shown their true colours in trying to establish a political direction for the CTA. Ottawa lawyer Austin Latchford countered Lynch-Staunton's Conservative protestations by charging Quinn to be a political neophyte for placing any faith in George Henry during the summer of 1933.⁵⁶ Pledging to follow the course he had established in "Some Pertinent Facts," Quinn stayed his ground, remarking to McNeil

It must be obvious to thoughtful men that our negotiations must be on as friendly a plane as possible with the Government which, for the time being, whether now or a year hence, and regardless of its political complexion, happen to be in power.⁵⁷

Even T. Murray Mulligan, so plaintive to Hepburn on the need for "equity and justice" for Catholics, later suggested a public statement on the school tax question would not be "advisable," assuring him that "...you have the matter in hand. I know that our people do not expect you to make a public pronouncement."⁵⁸ In the short run, positive overtures from the party continued to win over Quinn and the CTA executive. The firm commitment to support Liberal candidates in all parts of the province even paid some early dividends, procuring public endorsements late in the campaign from David Croll and Dr. L.J.

⁵⁵ *The Eganville Leader*, June 8, 1934.

⁵⁶ Quinn to Parish Chairmen, May 27, 1933, CTAP, File 4, Series 46, MSSBA and Latchford to Quinn, July 31, 1933, Archbishop Forbes Papers, File "Catholic Taxpayer's Association," MG 22, AOA. See also Latchford to Quinn, July 31, 1933, CTAP, File 5, Series 46, MSSBA.

⁵⁷ Quinn to McNeil, August 21, 1933, CTAP, File 4, Series 46, MSSBA.

Simpson, who the press were confident would find high profile positions in a Mitchell Hepburn cabinet.⁵⁹ The announcements were timed perfectly going into election day to give Quinn and Catholics the sense that Hepburn, who was still following Mackenzie King's prescription for silence, was behind the CTA.⁶⁰

Placing their collective eggs in the Liberal basket, the CTA executive was not disappointed on the day of voting. A record turnout at the polls on June 19 contributed to one of the most dramatic reversals in Ontario political history.⁶¹ The Conservative majority government of ninety seats was reduced to an opposition of seventeen, with eight of Henry's cabinet ministers going down to defeat. For Quinn, the victory had been almost entirely of his making, the result of two year's careful planning in order to mobilize Catholics and sympathetic Protestants throughout the province.⁶² Assessing the aftermath, he saw the final call to arms in the May 29 missive as having been critical, creating a situation "...that made it impossible...to stir and inflame anti-Catholic opinion, and it was

⁵⁸ Mulligan to Hepburn, August 12, 1934, Hepburn Papers, MU4935, AO.

⁵⁹ *The Evening Telegram*, June 15, 16, 1934. Croll was the Mayor of Windsor and Simpson was a physician from Barrie. The only Jew on the Liberal ticket that June, Croll was the focus of a variety of anti-Semitic correspondence from loyal Liberals who were determined not to see him in Hepburn's cabinet. See Hepburn Papers, MU4935, AO.

⁶⁰ Mackenzie King took a rather paternalistic tone with Hepburn, noting he should be well rested before press interviews. "Please stick this letter in your pocket and take it out and read it whenever you feel tempted to yield to the demands of others. After you have taken the dose six times, it may be repeated at longer intervals. If directions are strictly followed, it will guarantee you a first class condition of health when the campaign is over." Mackenzie King to Hepburn, May 24, 1934, Hepburn Papers, MU 4935, AO

⁶¹ The total number of votes cast in this election increased to a record number of 1,211,592, surpassing the previous record of 1,146,521 set in 1926. See "Returns From the Records of the General Election to the Assembly in 1934, Held on the 12th and 19th of June," (Toronto: T.E. Bowan by Order of the Legislative Assembly of Ontario, 1935).

⁶² Quinn to "Rev. and Dear Fr.," August 13, 1934, Archbishop McNeil Papers, MNAE11 (a), ARCAT.

because of my full beliefs in the situation that I had no hesitation at all in sending out the letter."⁶³ Separate school supporters across the country shared Quinn's enthusiasm, and he was praised far and wide. For J.B. Macdonald of Vancouver, the influence of the CTA in the campaign was now "a matter of record," and he forwarded to Quinn a portrait of Abraham Lincoln, noting "I am sending it to you as a humble tribute to another emancipator, by name Martin J. Quinn."⁶⁴

Given the coverage it had been lending to the school tax question in the previous two years, it was not surprising that the religious press would also credit Quinn and the CTA for the Liberal landslide. Kingston's *Canadian Freeman* heralded him as the visionary who sent Catholics "quietly to the polls" and of understanding "...the mind and the heart of the majority of this province."⁶⁵ The *Catholic Record* in London noted the losses of Catholic Conservatives in a number of ridings "...because the Catholic electorate was well instructed and intelligent enough to follow at any cost the declared policy of using its franchise to secure its rights."⁶⁶ Toronto's *Catholic Register* hailed the "Catholic victory." Pointing to the CTA's success in educating fair-minded non-Catholics, the paper claimed that they were made invulnerable to constant attacks from *The Toronto*

⁶³ Quinn to Marshall, June 26, 1934, CTAP, File 4, Series 46, MSSBA.

⁶⁴ J.B. Macdonald to Quinn, July 3, 1934, CTAP, File 7, Series 46, MSSBA. File 7 contains numerous letters of congratulations to Quinn and other members of the CTA executive from Catholics throughout Ontario and Canada, thanking them for their work in the campaign and looking forward to the eventual resolution of the school tax question as an inevitable consequence of the Liberal victory.

⁶⁵ *The Canadian Freeman*, June 21, 1934.

⁶⁶ *The Catholic Record*, June 30, 1934.

Telegram, which it labeled "... the chief exponent of anti-Catholic bigotry in the daily press of Canada."⁶⁷

A leading voice for both Conservative and Orange Lodge propaganda, there was no question that *The Telegram* would lead the Protestant charge against the CTA. As a consequence, however, it also managed to credit Quinn and the CTA with defeating the Conservatives. Virtually a non-issue in any of the daily papers, the *Telly* became fixated with the school tax question in the final weeks of the campaign, directing public attention to the existence of a "Catholic block" and declaring other issues to be of "minor importance."⁶⁸ A full reproduction of the controversial parish circular along with a picture of its author graced the front page of the evening edition on June 13, and the CTA's offensive blending of politics and religion was editorialized on the cover of each subsequent paper. Catholics who would allow themselves to be "dragooned" by Quinn and the CTA were likened to "dumb, driven cattle," and the paper boldly foretold that, should the Conservatives lose, "...the Catholic Ratepayer's Association will claim, and will have some right to claim, that their alleged 250,000 votes insured the defeat of the George S. Henry Administration."⁶⁹

Finally, in the election aftermath the Tories themselves were quick to point fingers in the direction of the CTA in order to explain their stunning defeat. Discouraged by the lacklustre campaigns waged by many in his caucus, Henry

⁶⁷ *The Catholic Register*, June 28, 1934.

⁶⁸ *The Evening Telegram*, June 9, 14, 1934.

fixed the largest blame on the mobilization of Catholics in the dying weeks of June, remarking "the entire north... deserted us under the influence of the Church."⁷⁰ The message was echoed in many of the local constituencies. The Conservative organizer in Waterloo, D.H. Alger, estimating that the Catholic vote there to be a substantial 40% of the total, referred to his riding as "... only one of the many lost due to the Separate School Question."⁷¹ E.N. Cooper, the Conservative candidate from Meaford, noted that the Catholics there had swung entirely to the Liberal candidate J.S. Taylor "...as a result of canvassing on certain promises regarding separate school taxes."⁷² In Sault Ste. Marie, James Lyons complained of the combined forces of the United and Catholic Churches that were "...against us very strongly as a unit."⁷³

Attributing the Liberals' electoral success though to a single issue or to the efforts of a particular group is problematic, fraught with realities that did not easily render the sorts of conclusions or assumptions to which both Catholics and certain Protestants were willing to accede. The political climate in Ontario that spring was hardly consumed in talk of the separate schools. Rather, the cumulative effect of a host of issues and circumstances held sway. The depression had been taking its toll on provincial coffers and, as a result, on the

⁶⁹ *The Evening Telegram*, June 14, 1934. On voting day, the front-page headline of the afternoon edition optimistically read "Looks Like Henry Victory With 50 Seats." See *The Toronto Telegram*, June 19, 1934 and *The Evening Telegram*, June 20, 1934.

⁷⁰ Henry to Ferguson, June 21, 1934, Henry Papers, MU1355, AO.

⁷¹ D.H. Alger to Henry, June 22, 1934, Henry Papers, MU1355, AO.

⁷² E.N. Cooper to Henry, June 25, 1934, Henry Papers, MU 1355, AO.

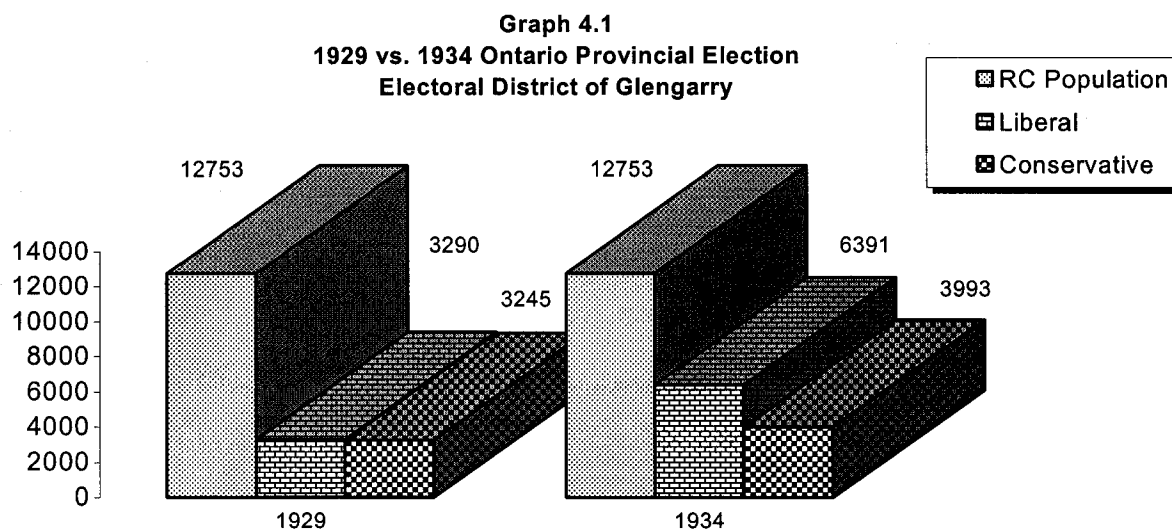
⁷³ James Lyons to Henry, June 28, 1934, Henry Papers, MU 1355, AO.

Henry government for a number of years. Between 1930 and 1934, employment relief expenditures in the province had risen from \$2.4 to \$60.7 million per year.⁷⁴ A scandal further damaged the Tories when charges of corruption and graft accompanied the news in 1931 that Ontario Hydro had been paying out large sums of money to prominent Conservatives for a variety of alleged services since the late 1920s. This story originally broke with evidence of a \$125,000 payment by the public utility to John Aird Jr. in 1929, a prominent Conservative and President of Beauharnois Power Company. Aird later admitted to taking \$50,000 for undisclosed "services" on the Madawaska Project in the Ottawa Valley that year. Further digging by the Liberals showed that other Conservatives were tied up in these affairs, including former Prime Minister and Federal Conservative leader Arthur Meighen and George Henry himself. Apparently the premier forgot that he was a director in the company and held some \$25,000 bonds relating to a Hydro subsidiary, Abitibi Power. Although a Royal Commission was launched to investigate the claims, the "Hydro Scandal" dogged the Conservatives and their fiscal policies through the election campaign.⁷⁵ Moreover, Henry's fickle public stance on prohibition reeked of electioneering. A teetotaler, he had staved off attempts from the Conservative "wet wing" to secure a looser interpretation of prohibition laws in Ontario, only to relent prior to the campaign, proposing the sale of beer and wine in hotels and restaurants. While Neil McKenty suggests that the move may have won some last minute support, like his decision to settle

⁷⁴ Kenneth Norrie and Douglas Owsram, A History of the Canadian Economy, (Toronto: Harcourt, Brace, Jovanovich, 1991), p. 495.

the school tax question through the courts, it was a desperate attempt to stem an electoral tide that was already moving away from the Tories.⁷⁶

This abandonment of the Conservatives is depicted more clearly in microcosm, in a selection of swing ridings where the Roman Catholic population made up almost 45% of the total. In the Eastern Ontario district of Glengarry, better than 60% Catholic, the slim forty-five vote majority for the Conservatives in 1929 was easily replaced by Liberal J.A. Sangster's staggering advantage of 2,398.

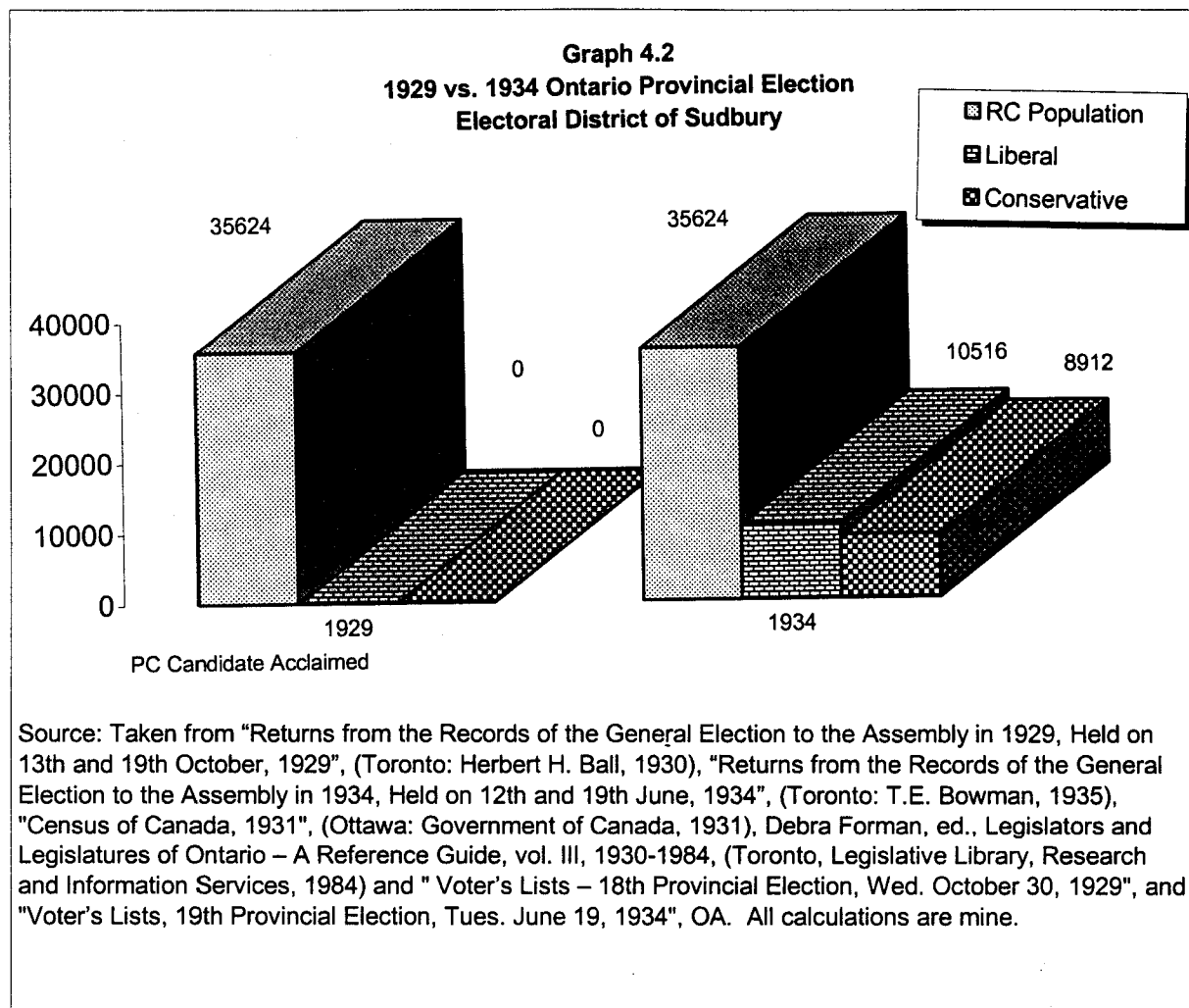


Source: Taken from "Returns from the Records of the General Election to the Assembly in 1929, Held on 13th and 19th October, 1929", (Toronto: Herbert H. Ball, 1930), "Returns from the Records of the General Election to the Assembly in 1934, Held on 12th and 19th June, 1934", (Toronto: T.E. Bowman, 1935), "Census of Canada, 1931", (Ottawa: Government of Canada, 1931), Debra Forman, ed., *Legislators and Legislatures of Ontario – A Reference Guide*, vol. III, 1930-1984, (Toronto, Legislative Library, Research and Information Services, 1984) and "Voter's Lists – 18th Provincial Election, Wed. October 30, 1929", and "Voter's Lists, 19th Provincial Election, Tues. June 19, 1934", OA. All calculations are mine.

⁷⁵ McKenty, *Mitch Hepburn*, pp. 45-50.

⁷⁶ *Ibid.*, p. 48.

In Leeds, Liberal G.T Fulford overcame a substantial Conservative majority in the previous election, defeating H.A. Clark by 1,242. The most stunning reversal of the entire election occurred in Sudbury, where Liberal newcomer Eddie Lapierre trounced Charles McCrea by 1,604 votes. If McCrea had been guilty of abandoning his co-religionists in the past, the people of Sudbury, more than 60% of them Roman Catholics, had returned the favour in 1934.



In addition, the school tax question did not publicly appear as a central election issue in any of these "Catholic ridings" or in the province as a whole, rendering Quinn's claim that the Liberals received 99% of the Catholic vote to be, in the very least, deceiving.⁷⁷ Interviewed in *The Sudbury Star*, Charles McCrea avoided it entirely, blaming his loss on "the depression and hard times."⁷⁸ *The Glengarry News* attributed the enormous response in its mostly rural polls to scores of dissatisfied farmers who, undaunted by heavy rains on voting day, turned out to protest high taxes.⁷⁹ With the noted exception of *The Telegram*, the dailies in Toronto also barely flirted with the issue of separate schools. *The Globe* offered tepid coverage in the days leading up to voting, noting Hepburn's comment to a Liberal rally at Massey Hall on June 16 that Henry should "...hang his head in shame for raising the religious issue" through the *Telly*.⁸⁰ It also pointed to a deluge of new political parties in the 1934 campaign. Indeed twelve different associations had fielded candidates, the most ever for a provincial election in Ontario. George Henry alone faced a ballot of four political newcomers in his home base of East York.⁸¹ The sudden entry of new political

⁷⁷ Quinn, undated memo, Cardinal McGuigan Papers, MGSO20.29 (a), ARCAT.

⁷⁸ *The Sudbury Star*, June 19, 1934. The paper was an avowed supporter of McCrea's candidacy, declaring on a pre-election headline "Public Man of Power Proves Worthy of Ontario's Present Need." See *The Sudbury Star*, June 16, 1934.

⁷⁹ *The Glengarry News*, June 22, 1934.

⁸⁰ *The Globe*, June 18, 1934.

⁸¹ An organizer for the Cooperative Commonwealth Federation, Dr. Rose Henderson, explained the increase in voter turnout as at least partially the work of the female electorate, who

combatants was attributed to the Conservative's inability to identify with the needs of cash-strapped Ontarians from their lofty majority, bringing them "... face to face with a reality they had not recognized; otherwise they would not have staked their future on a glass of beer."⁸²

The redistribution of electoral districts carried out by the Henry Conservatives in the spring of 1933 also proved detrimental to the government. In all, twenty-two seats were eradicated in an effort to bring rural and urban population bases into line with calls for more economical government. The new format established rural population bases at 25,000, with 50,000 for urban ridings.⁸³ Going into the June election in the Toronto area riding of York North, new districts such as Woodbridge Village and North York Township were thought to be safe Conservative territory.⁸⁴ With returns from the polls swelling to twice their number from the previous election, incumbent Clifford Case was ousted by Liberal Morgan Baker by 3,489 votes. It was the largest majority ever for a candidate in the riding, including any of the districts that made up the former electoral district before redistribution.⁸⁵ Allowing that no one could accuse the

saw in the power of the vote the ability to protect "home and hearth." See *The Globe*, June 19, 1934.

⁸² The parties listed as running candidates in the campaign included The Conservatives, Conservative Independent, Liberal, CCF, Independent, Communist, Socialist-Labour, Labour, Labour Independent, Liberal – Dry, Worker's Party and Liberal Independent. By far the most successful here of the new parties was the CCF – running in its first election and fielding 27 candidates, electing one M.P.P. in the riding of Hamilton East. See Forman ed., Legislators and Legislatures of Ontario. See also *The Globe*, June 20, 1934.

⁸³ Saywell, "Just Call Me Mitch", p. 117.

⁸⁴ *The Aurora Banner*, June 22, 1934.

premier of gerrymandering by way of his Redistribution Act, John Saywell concludes, "the largest screams came from the Tories, who claimed that Henry was committing political suicide."⁸⁶

If Catholics, especially Quinn and the CTA, had an aggrandized sense of their political significance coming out of the election, at least some of the responsibility for this perception lay with their ally in the secular press. *The Toronto Star* had long supported the Ontario Liberal Party, and now readily accepted the idea that the banner association of the CTA and its vituperative leader, had earned their share of attention for their role in the Hepburn victory. It solicited the varied reactions of Catholics to the impact of the Quinn letter, including the support of Rev. T.J. Muckle, Rector of St. Michael's College, and the skepticism of prominent Toronto laymen such as lawyers Thomas N. Phelan and W.J. Boland and financier Duncan J. McDougald.⁸⁷ Stating that resolution of the school tax question was "not an impossible task," *The Star* now publicly declared its accomplishment "as a matter of simple justice to the Roman Catholic minority in this Province."⁸⁸ Saving its harshest criticism for George Henry, the paper referred to his political timidity, including the decision to go to the courts as leading to his inevitable downfall: "Mr. Henry's policy of evading or at any rate

⁸⁵ Case still received over one thousand more votes than when he first took the riding in 1929. See Forman ed., Legislators and Legislatures of Ontario and *The Newmarket Express - Herald*, June 21, 1934.

⁸⁶ Saywell, "Just Call Me Mitch", p. 117.

⁸⁷ *The Toronto Star*, June 20, 1934.

⁸⁸ *The Toronto Star*, June 27, 1934.

postponing a decision by referring to the courts a matter which the courts cannot settle is hardly one which would commend itself to a courageous leader."⁸⁹

Having always laid claim to a special revelation regarding the real power of Catholic Action, Quinn felt fully vindicated by the Liberal victory. Turning his attention to the new premier he was hopeful, remarking to Thomas Marshall of Dunnville that "What has been done can be done again. Mr. Hepburn will, I am sure, treat us fairly, and if he does, certainly I am in a position to see that when another election comes around, it will not be forgotten."⁹⁰ Appropriately laudatory of the clergy for all that they had done to make the parish associations so successful, he expressed that gratitude in a circular letter distributed to every parish priest in Ontario.⁹¹ In his more private moments, however, Quinn reveled in a newfound sense of power and liberation. To his mind it had been the laity, only with some assistance from the clergy, who had taken the CTA through its successful course to revive the once lifeless school tax question in the province. Reflecting with W.L. Scott on the role played in the campaign by the bishops,

⁸⁹ *The Toronto Star*, June 27, 1934.

⁹⁰ Quinn to Marshall, June 26, 1934, CTAP, File 4, Series 46, MSSBA.

⁹¹ Quinn offered "...not our thanks, because we are all working for the same end, but our sincere admiration of the manner in which, when the final moment came, the Priests of Ontario rendered a service to the Catholic cause that cannot be entirely appreciated except by those of us who have been very close to the picture, and know the intimate details of the situation, in hundreds of parishes throughout the province." See Quinn to "Rev. and Dear Fr.," August 13, 1934, Archbishop McNeil Papers, MNAE11 (a), ARCAT.

Quinn was in no mood to hand out accolades:

Originally we deferred to the Hierarchy to a certain extent, and this for reasons that seemed satisfactory at the time, but personally, while I am anxious to retain their good wishes and their cooperation I am not prepared to admit that as an association they should be in a position to influence us beyond the point where any advice they might feel disposed to give would be very carefully considered.⁹²

Admitting to having anticipated a “political dog-fight” from the beginning, he now declared that even Archbishop McNeil had “recognized the limits of his authority” in regard to the CTA, which he noted was “limited entirely by political and financial considerations, to be dealt with by laymen.”⁹³ Dismissive of the bishop’s ability to dictate either policy or procedure to him, Quinn then made a bold statement of the Association’s faith in the new government, relieving at least two local representatives, Dr. L.P. Beaudoin, of Ottawa, and J.M Lalor of Toronto, of their General Committee status. Blatantly opposing the CTA’s announced “Liberal-only” policy, Scott remarked on the futility of appealing to the hierarchy: “this is a layman’s organization over which their excellencies the Bishops have no control whatsoever...it is the view of the Association that the Bishops are not in a position to influence us beyond the point where any influence they may feel disposed to give shall be very carefully considered.”⁹⁴

For the time being, though, Martin Quinn was celebrated in Catholic circles, and the election guaranteed his name would be spoken reverentially for

⁹² Quinn to Scott, June 26, 1934, CTAP, File 4, Series 46, MSSBA.

⁹³ Quinn to Rev. Dollard, August 29, 1934, CTAP, File 7, Series 46, MSSBA.

⁹⁴ Scott to Beaudoin, June 29, 1934, CTAP, File 4, Series 46, MSSBA. See also Lalor to Quinn, July 26, 1934, Quinn to Lalor, August 8, 1934, Hepburn Papers, RG - 3 – 10 – 35, Box 221, OA.

the foreseeable future. Praised as a man of "...indefatigable energy, constant fortitude and dogged perseverance," *The Catholic Record* judged that the political climate here would have made "a less sincere seeker after justice quit cold months ago."⁹⁵ For the *Freeman* he was "an ideal leader, calm judicial, kind, tolerant, firm...a true leader of Catholic Action, and that, in full measure and flowing over, he merits and receives the gratitude of the Catholics of Ontario."⁹⁶ The only hint of caution in the religious press came from the home base of the CTA, the Archdiocese of Toronto. Taking credit for the work done by the *Register* during the course of its own eleven-week campaign that spring in support of the CTA, editor Henry Somerville nonetheless viewed the electoral success as bittersweet:

Though they have acted so successfully on this occasion they have no desire to be under a similar necessity again. It is not a good and healthy situation when Catholics are all on one side in politics...As long as Catholics are treated with anything approaching reason and justice there is not the slightest ground for fearing in Ontario that they will ever act in a factionist and aggressive spirit.⁹⁷

Long acquainted with the sectarian fight for political justice from his experiences with the Catholic Social Guild in England, Somerville understood electioneering to be strictly a by-product of necessity, not to be repeated. His observation

⁹⁵ *The Catholic Record*, June 30, 1934. As a testimony to his ecumenical foresight, the same article praised Quinn for doing "...more in the last month to promote inter-faith harmony, mutual respect and confidence and genuine unity among the respective Protestants and Catholics of Ontario than has been done by all the flag waving in as many decades as there were days in the pre-election campaign."

⁹⁶ *The Canadian Freeman*, June 27, 1934.

⁹⁷ Somerville did have some praise for Quinn's role in organizing the Catholic vote, remarking "His judgment as well as his courage has now been supremely vindicated. He has

would be lost however, in the teeming enthusiasm with which Ontario Catholics greeted Mitchell Hepburn's arrival at Queen's Park that fall.

borne the brink of the fury of our enemies and he is now entitled to the highest credit for his share in the victory." See *The Catholic Register*, June 28, 1934.

Receipts and Disbursements Catholic Taxpayer's Association

Appendix 4A

March 21, 1932 – June 27, 1934

RECEIPTS

Amount Received from Parish
Collections and other donations shown
by Archdiocese and Diocese, as follows:

| | | | |
|-----------------------------|-----------|--|---------|
| Archdiocese of Toronto | \$4670.53 | Salaries | |
| Archdiocese of Kingston | 2100.00 | Secretary | 1775.00 |
| Archdiocese of Ottawa | 907.37 | Assistant Secretary | 3395.00 |
| | | Publicity | 462.50 |
| Diocese of London | 1865.75 | Stenographer (Part-Time) | 254.50 |
| Diocese of Peterborough | 1080.00 | | 5887.00 |
| Diocese of Hamilton | 1025.00 | Travelling Expenses - Speakers | 453.82 |
| Diocese of Sault Ste. Marie | 700.00 | Telephone and Telegraph | 373.41 |
| Diocese of Pembroke | 500.00 | Press clipping Service | 202.50 |
| Diocese of Alexandria | 404.00 | Office Supplies and Expense | 168.20 |
| Diocese of Haileybury | 220.00 | Office Furniture and Equipment Purchased | 125.00 |
| Diocese of Hearst | 155.00 | Bank Charges on Cheques Received | 5.80 |

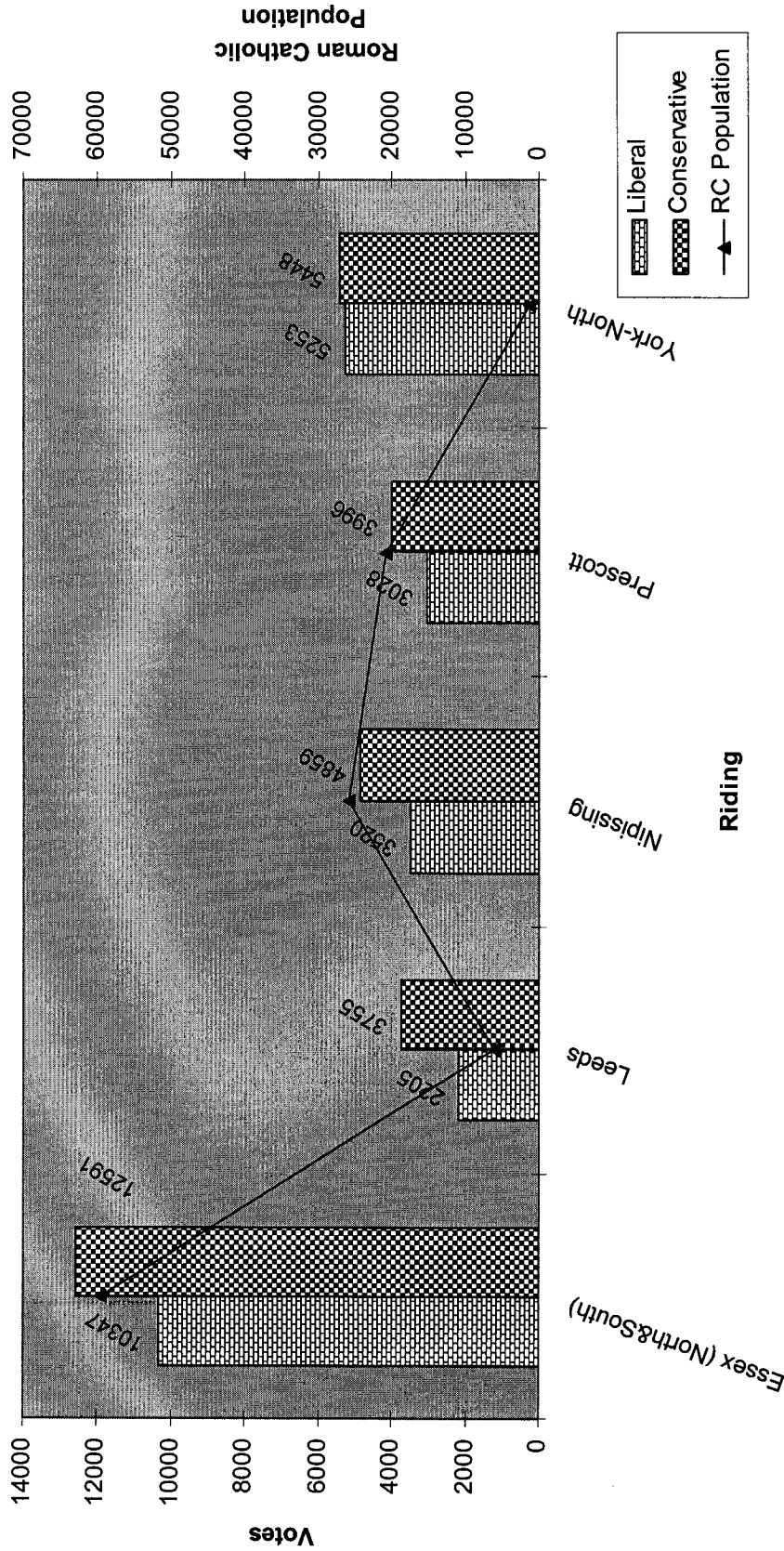
| | | | |
|--|--------|----------------------------------|---------------|
| Ontario Separate School Trustees Association | 100.00 | Balance on Hand at June 27, 1934 | |
| | | Cash in Bank | 183.24 |
| | | Petty Cash on Hand | 11.05 |
| | | | <u>194.29</u> |
| | | | \$13727.65 |

DISBURSEMENTS

| | |
|---|----------------|
| Circular Letters and Educational Pamphlets | \$4848.84 |
| Paper, Multigraphing and Printing Postage and Express | <u>1468.79</u> |
| | \$6317.63 |

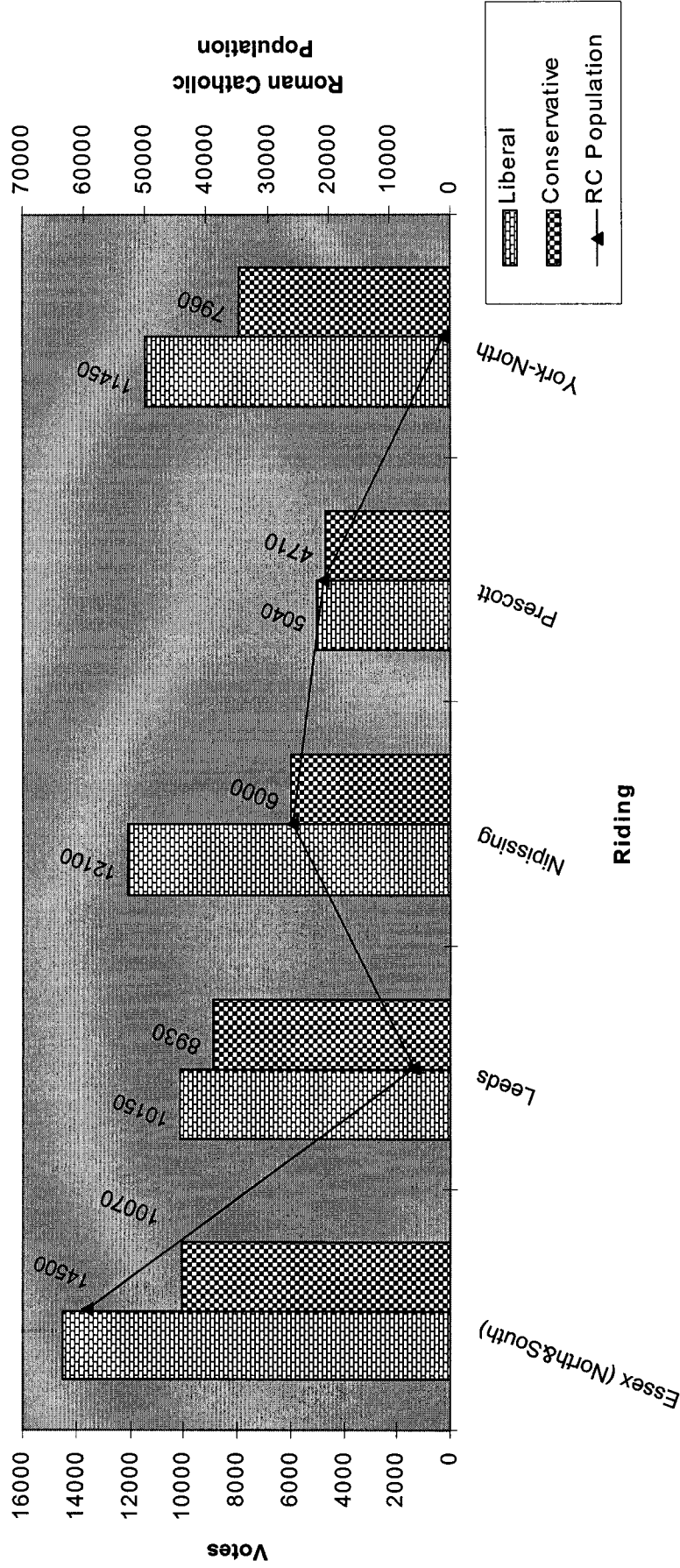
Source: Interim Statement of Receipts and Expenditures, Catholic Taxpayer's Association, Period March 21, 1932 to October 11, 1933, CTAP, File 6, Series 46 MSSBA and "Auditors Certificate, C.J. McCabe C.A., Catholic Taxpayer's Association of Ontario, June 29, 1934", Archbishop McNeil Papers, MNAE11.01, ARCAT.

Graph 4.3
1929 Ontario Provincial Election



Source: Taken From "Returns From the Records of the General Election to the Assembly in 1929, Held on 13th and 19th October, 1929" (Toronto: Herbert H. Ball, 1930); Census of Canada Data (Ottawa: Government of Canada, 1931); Debra Forman, ed., Legislators and Legislatures of Ontario - A Reference Guide, vol. III, 1930-1984, (Toronto, Legislative Library, Research and Information Services, 1984); Voter's Lists - 18th Provincial Election, Wed. October 30, 1929, OA. All calculations are mine.

Graph 4.4
1934 Ontario Provincial Election



Source: Taken From "Returns From the Records of the General Election to the Assembly in 1934, Held on 12th and 19th June, 1934" (Toronto: T.E. Bowman, 1935); Census of Canada Data (Ottawa: Government of Canada, 1931); Debra Forman, ed., Legislators and Legislatures of Ontario - A Reference Guide, vol. III, 1930-1984, (Toronto, Legislative Library, Research and Information Services, 1984); Voter's Lists, 19th Provincial Election, Tues. June 19, 1934, OA. All calculations are mine.

Chapter Five

"A Simple Act of Justice"¹

The East Hastings By-Election of 1936

Following the provincial election, Quinn was optimistic that revised separate school legislation would take place in short order. Castigating the "political Catholics" who had placed party before Church, he was more determined than ever in the power of Catholic Action, telling James Day

If our people will just be prudent now, boasting not at all, asking for nothing but that to which public opinion will freely concede them the right, we will be the greatest political power in the province of Ontario, and the McCrea's will have learned that not only can Catholics be organized, but that organized lay Catholics, and not the Bishops, are the people who are going to settle this matter effecting the Catholic body that are not included in the list of religious doctrine and morals.²

While he had been willing to work with any government that would give justice to the separate schools, Quinn's *understanding* with Hepburn brought a renewed sense of purpose to the CTA campaign. His enthusiasm did not abate over the summer for both the man and the party that promised a final resolution to the school tax question. Concluding "there is not a single class of people in Ontario

¹ This line is taken from a campaign song assembled for the Liberals going into the East Hastings By-Election:

He gave the R.C. schools a share
Of their people's yearly tax,
It was a simple act of justice
When we clearly know the facts,
We may not advocate separate schools
But since by law they are there,
We have a right to be honest with taxes
Upright, just and fair!

See A.M. Sirr, "Campaign Song," undated, Hepburn Papers, RG - 3 -12, Box 353, OA.

today that does not expect that the Government will take favourable action at an early date, and...there is no indication that such action on the part of the government will meet with the slightest opposition," he moved forward, confident that the crowning glory for the CTA would soon be at hand.³

A new deluge of opposition to both the separate schools and the government they served greeted the Liberals that fall. Charles Saunders of Chelmsford advised Hepburn to "stand up like a hero and not veto anything that belittle's our faith to the pope's unpardonable offense."⁴ In October, the Township of Scarborough organized a general petition signed by eighty-nine public school boards, acknowledging they had all passed resolutions opposing any legislative changes that might "deprive the Public Schools of any of their present taxable revenues."⁵ On November 16, the Chair of the Toronto Board of Education demanded "Ontario does not want the Quebec system of denominational education or the Quebec system of taxation, where non-Catholic money is used for the purpose of teaching Roman Catholic dogmas."⁶

Organized Protestantism was also quick to vocalize opposition to Hepburn's "Romish sympathies," with new propaganda and petitions assailing

² Quinn to James E. Day, July 3, 1934, CTAP, File 7, Series 46, MSSBA.

³ Quinn to James E. Day, August 13, 1934, CTAP, File 7, Series 46, MSSBA.

⁴ Charles Sanders to Hepburn, November 22, 1934, Hepburn Papers, RG - 3 - 9 - 0, File 26.1, OA.

⁵ J. Brown to "The Premier, The Minister of Education and the Members of the Legislature of the province of Ontario," October 6, 1934, Hepburn Papers, RG - 3 - 9 - 0, Files 26.1-26.3, OA.

⁶ "The Secretary-Treasurer of the Toronto Board of Education to the Secretaries of the Public School Boards of Ontario," October 16, 1934 and Dr. L. Guest, "Open Letter to the Public School Boards of Ontario", November 16, 1934, Hepburn Papers, RG - 3 - 9 - 0, File 26.2, OA.

the premier from every corner of the province.⁷ Toronto Orangeman W.J. Martin of Beaver Lodge No. 911 called for “equal rights for all and special privileges for none.”⁸ A particularly derisive pamphlet, entitled “*By Their Fruits...*” listed Juvenile Court statistics in Toronto for 1933 alleging the failure of the separate schools. With an overall population in the city of only 14%, Catholics were presented as 28.95% of those charged with criminal offenses in the city.⁹ The Secretary of the General Council of the Protestant Women's Federation of Canada, Mrs. A.J. Cawdron, cited the opinions of Ryerson and D’Arcy McGee on the finality of the Constitutional agreement, forwarding a lengthy resolution to Hepburn that opposed “further concessions” to the separate schools.¹⁰

Ontario Catholics, long familiar with such histrionics, paid little attention to their opponents. Sensing the opportunity to make inroads with the provincial government, they were determined to be well represented in the new Liberal Cabinet. Religious organizations such as the Knights of Columbus, the Catholic Order of Foresters and the Christian Worker Brotherhood supported the candidacy of former alderman Robert A. Lana, elected in the Toronto riding of

⁷ Pamphlets, Loyal Orange Lodge, Ontario West, “Servant of Rome,” “Public Taxes to Teach Roman Catholicism,” “A National School,” and for Ontario East, “Rome and Protestant Marriages,” “Rome’s Divorce Mill” and “Romanism Undisguised,” 1935, Hepburn Papers, RG - 3 - 9 - 0, Files 133.1 and 132.1, Box 183, OA.

⁸ Martin to Hepburn, October 22, 1934, Hepburn Papers, RG - 3 - 9 - 0, File 26.1, OA. The Hepburn Papers include resolutions opposing any amendments to the school tax law from Lodges and Protestant associations across the province, including the Couchiching Black Preceptory and the Royal Dundalk Chapter of the Black Knights of Ireland. See Hepburn Papers, RG - 3 - 9 - 0, File 133, OA.

⁹ Pamphlet, Loyal Orange Lodge for Ontario West, “*By Their Fruits...*,” Hepburn Papers, RG - 3 - 9 - 0, File 132, Box 183, OA.

¹⁰ Cawdron to Hepburn, July 16, 1934, Hepburn Papers, RG - 3 - 0, File 26.1, OA.

Riverdale.¹¹ Hepburn also received numerous letters of support for another one time alderman, Patrick Dewan from Woodstock, who had deep roots in the farming communities of southwestern Ontario.¹² Catholics, however, would hardly be allowed to select their own representative. The premier eventually decided on Federal Cabinet Minister Peter Heenan, accepting Percy Parker's suggestion that "...this would be a magnificent thing and would solve the Irish-Catholic situation."¹³

Indeed, on the surface, Heenan seemed to be a logical selection. First elected to provincial office in the cabinet of U.F.O. Premier E.C. Drury in 1919, he moved to federal politics in 1925 as the M.P. for Kenora-Rainy River. In Ottawa he served as Minister of Labour under Mackenzie King from 1926 to 1930 and was responsible for signing the original agreement for the first *Old Age Pension Act* of 1927. Despite an age difference of twenty years, Heenan and Hepburn had become great friends. Referring to the all-night drinking binges that had marked their years together in federal government, Senator Charles Murphy, whose position as lead Catholic Heenan had taken in cabinet, described them as "fellow devotees at the Shrine of Bacchus."¹⁴ Moreover, perceptions that Heenan "wore his religion lightly" were bound to be problematic for Martin

¹¹ The Christian Worker Brotherhood to Hepburn, June 21, 1934, The Catholic Order of Forresters to Hepburn, June 22, 1934 and Toronto Knights of Columbus to Hepburn, June 28, 1934 in Hepburn Papers, RG – 3 – 10, Box 220, AO.

¹² McGuire to Hepburn, June 23, 1934, George Sutherland to Hepburn, June 26, 1934, J.E. Crawford to Hepburn, June 26, 1934, Hon. Fred Lower to Hepburn, June 27, 1934, and J. Saunders to Hepburn, July 3, 1934, Hepburn Papers, RG – 3 – 10, Box 220, OA.

¹³ Parker to Hepburn, February 21, 1934, Hepburn Papers, MU49113, AO.

¹⁴ Saywell, *"Just Call Me Mitch"*, p. 168.

Quinn's Catholic Action imperatives.¹⁵ For the time being, though, Heenan was to be Hepburn's man, and in order to vacate the seat in Kenora, the sitting Member, Earl Hutchinson, was offered the Chairmanship of the Workman's Compensation Board. Heenan was then appointed to two cabinet portfolios, as Minister of Northern Development and Lands and Forests.

Undeterred by either the Protestant onslaught or the appointment of Peter Heenan, Quinn optimistically prepared the CTA for its first meeting with the new premier and another presentation of a legislative brief.¹⁶ Ever the Conservative skeptic, George Lynch-Staunton had warned that the new legislation "cannot be too carefully drawn" and encouraged Quinn to interview Hepburn as soon as possible:

If you are rebuffed by the Government or put off, then you will be in a very embarrassing position, because I think that it was upon your assurance that the sweep of the Catholic vote was affected. ...Finally, if the government puts it off until after the legislative session begins...the Government can quite properly claim that they are so taken up with the work of the session, that they cannot give the matter their consideration, and it will be the old Government over again.¹⁷

Scheduled for January 22, 1935, the interview would be significant for Quinn as the first time he and the premier would meet in public over the matter that they had so long understood in private. *The Toronto Telegram* and *London Free Press* both agreed that it had been Heenan as the "unofficial representative of

¹⁵ Saywell, "Just Call Me Mitch", p. 301.

¹⁶ Quinn to Carroll, January 15, 1935, Archbishop McNeil Papers, MNAE11.13, ARCAT.

¹⁷ Lynch-Staunton to Quinn, November 27, 1934, Bishop McNally Papers, File "Catholic Taxpayer's Association," DHA.

the Catholic people in Cabinet" who arranged the meeting.¹⁸ The delegation included Quinn, W.T. Kernahan and L.A. Landriau from Toronto, W.L. Scott from Ottawa, Dr. Robert Downes from Hamilton, T.J. Rigney from Kingston, Dr. Claude Brown of London and C.J. Driscoll of Sarnia.¹⁹

More detailed than the 1933 brief, the CTA now called for legislation that would amend the three laws, namely *The Municipal Act*, *The Assessment Act* and *The Separate Schools Act*, in order to see assessments made on the basis of school attendance. As Catholics, like Protestants, were considered to be "shareholders" in public utilities, the CTA also requested that these taxes be divided to support both separate and public schools.²⁰ Appended to the minutes from the interview is a note in the premier's hand showing his early concern that the Quebec Plan would be hard to sell in Ontario:

Orangemen, of course, argue that if Quebec Protestants received the same treatment as Ontario Catholics, they would be better off, because, they say, Protestants in Quebec own 70% of the stock in corporations but only get 25% of the revenue therefrom."²¹

Mostly formality, Hepburn received the delegation warmly, but alluded only vaguely to his desire to help the separate schools.²²

¹⁸ *The Toronto Telegram*, January 17, 1935. See also *The London Free Press*, January 18, 1935.

¹⁹ *The Ottawa Journal*, January 22, 1935.

²⁰ "Application of the Catholic Taxpayer's Association of Ontario For Legislative Amendments of Existing Laws Relating to School Taxes," January 22, 1935, and "Memo of Amendments Required to *The Municipal Act*, *The Assessment Act* and *The Separate Schools Act*," January 23, 1935, CTAP, Files 8 and 14, Series 46, MSSBA.

²¹ "Some Pertinent Points made by a Delegation Which Waited on Cabinet, January 22, 1935," Hepburn Papers, RG - 3 - 11, Box 233, OA.

²² *The Globe*, January 23, 1935 and *The Toronto Star*, January 23, 1935.

The job of negotiating with the CTA on behalf of the government was given to the Attorney General, Arthur Roebuck. A labour lawyer with a lengthy record of involvement in social causes, Saywell describes him as having helped the Liberals "maintain a consistent radical image, while often urging Mitch to take a softer line."²³ He suggested a comprehensive new law rather than amending the three acts as proposed in the brief, feeling it would be better understood by the members, who were bound to be divided as to its contents.²⁴ Invited to assemble a first draft, Quinn had one completed within two weeks and agreed to in principle by Roebuck that February.²⁵

It soon became clear that Hepburn and Roebuck had altogether different ideas on the priority the government should make of the new law. The premier proved recalcitrant in 1935, virtually ignoring the school tax question. Prime Minister Mackenzie King, preparing for the Dominion Election that year, had requested that the matter not be dealt with until after the campaign.²⁶ The premier was also sidetracked by concerns for his health. Having gained ten pounds in two years, Hepburn suffered from insomnia, asthmatic bronchitis and

²³ Saywell, "Just Call Me Mitch", p. 128.

²⁴ Scott to Quinn, January 23, 1935, CTAP, File 14, Series 46, MSSBA.

²⁵ Quinn to O'Brien, February 7, 1935, Bishop Kidd Papers, JTK – 14/HF 4 CTA/FF1/L17, DLA.

²⁶ A source close to the premier confirmed it would be "poor political sagacity" to introduce what was likely to be a divisive bill on the eve of a dominion election. See *The Ottawa Journal*, May 12, 1935. Arthur Roebuck's confirmation in December that the Liberals had, as a result of the election campaign, never seriously considered introducing new separate school legislation, infuriated Quinn. See Quinn to O'Brien, December 4, 1935, Archbishop O'Brien Papers, File "1935 - Q,R,S," AAK. Envisioning a facilitated course for the legislation rather than the labyrinthine one that it would eventually take, Quinn would come to deeply regret Arthur

high blood pressure, which caused his physician to note that he was "carrying on too much for his own physical welfare."²⁷ His creation of the "Commission of Enquiry into the Cost of Education in the Province of Ontario" that spring, led by Deputy Minister of Education, Duncan McArthur, did little to assuage the CTA's growing impatience. Charged with investigating the process of educational funding throughout the province, the Acting Minister of Education, H.C. Nixon, explained to Quinn that a new school tax law was not on the Commission's agenda, and the matter seemed to be put off indefinitely.²⁸

While Quinn advised Catholics to remain patient, Hepburn's unwillingness to move forward with a new bill was causing him serious concern.²⁹ Earlier that year he had expressed his fear to Archbishop O'Brien that McArthur, the former Chair of the History Department at Queen's University, was unsympathetic to the

Roebuck's removal as the Liberal draftsman for the new separate school law. See Quinn to Murphy, September 7, 1937, Cardinal McGuigan Papers, MGSO20.118, ARCAT.

²⁷ He had been prescribed the drug Nembutal for insomnia and was taking Quartz Lamp treatments at the Granite Club. See Dr. G.C. Prink, Department of Health, Toronto, "Medical Report on Hon. Mitchell Hepburn – March 11, 1935," Hepburn Papers, RG - 3 - 10, Box 236, OA.

²⁸ *The Globe*, April 12 and May 4, 1935. Composed of Protestants and Catholics, including CTA Treasurer W.T. Kernahan, the Committee was charged with investigating a host of educational funding issues, including educational supplies and facilities, teacher salaries and equality of access to education for both separate and public school students. See "CTA – General Announcement," July 13, 1935, Cardinal McGuigan Papers, MGSO20.27, ARCAT. Hepburn noted that the committee would gather facts and make recommendations, but that the government would make all final decisions in regard to educational financing. See Memo – London Separate School Board to Mr. Duncan McArthur and the Members of the Special Committee of Enquiry, 1935, Bishop Kidd Papers, JTK – 14/HF 2 CTA/FF1/L24, DLA. Writing to Quinn, Nixon included a copy of the questionnaire that would be used by the Commission in its collection of data. See Nixon to Quinn, May 1, 1935, Cardinal McGuigan Papers, MGSO20.16 (b), ARCAT.

²⁹ "It is supposed to have come directly from the premier. A Catholic asked him at a social affair the other evening when he was going to bring in legislation for the separate school tax reform. He referred that the Tax Question was 'dynamite,' and he inferred, or rather the inference was drawn from his remarks, that he was going to shelve the question until after the federal election." See Carroll to Quinn, March 7, 1935, Archbishop McNeil Papers, MNAE11.22 (b), ARCAT.

separate schools.³⁰ Turning to his friend Frank O'Connor, O'Brien called on him to use his influence with the Liberals to be forthright in the matter "...as you were last January when the Hon. Senator McGuire and the Hon. Peter Heenan were talking about postponements."³¹ Quinn pressed Senator McGuire for a date as to when the Liberals would table the promised legislation. Denying that any such agreement had ever been made, McGuire challenged him to prove otherwise.³² Rarely inclined to diplomacy, Quinn threatened the Liberals with the same Catholic response at the polls as he alleged had been visited upon George Henry in 1934, presenting copies of correspondence dating from March 2, 1933 to back up his claim.³³ Indeed, the concerns of separate school supporters were increasingly justified.

The delay over legislative action on the school tax question had seen the assessment gap between public and separate boards in the province continue to grow in 1935. In the substantially Catholic area of Windsor, the public board received \$54,434,340, while the separate board lagged far behind at only \$12,277,820. In Ottawa, the difference was much the same, at \$129,465,000 for the public schools as opposed to \$26,542,000 for the separate. The local affiliate of the Catholic Taxpayer's Association in Hamilton was urging ratepayers to

³⁰ Quinn to O'Brien, February 7, 1935, Archbishop O'Brien Papers, File "1935 - O,P,Q," AAK.

³¹ O'Brien to O'Connor, March 28, 1935, Archbishop O'Brien Papers, 1935, File "1935 - N,O,P," AAK. O'Brien and O'Connor were old friends, and O'Brien often spent vacations at his summer home at Roche's Point on Lake Simcoe. See O'Brien to O'Connor, June 16, 1937, Archbishop O'Brien Papers, File "1937 - N,O,P," AAK.

³² McGuire to Quinn, April 23, 1935, Cardinal McGuigan Papers, MGSO20.12 (c), ARCAT.

cover the difference between the two school rates of .47 part of a mill in order to highlight the strains under which the separate schools were operating.³⁴ Siding with the CTA, *The Mail and Empire* noted that "the Separate School ratepayers have just cause for suspecting that they are being exploited."³⁵

With no announcements on tax support for separate schools in the offing, Quinn went on the offensive once again.³⁶ That December, he claimed responsibility for the CTA in electing Samuel McBride as Toronto's new mayor, keeping renowned Catholic-baiter Jimmy Simpson from regaining office.³⁷ Moreover, Quinn was now threatening to wield the Catholic vote "...until such time as we have obtained a full measure of justice."³⁸ Rank and file among the faithful were also becoming impatient with Hepburn, as one "concerned Catholic" noted to him, "We put you where you are and we can easily dispose of you next

³³ Quinn to McGuire, May 7, 1935, Cardinal McGuigan Papers, MGSO20.15, ARCAT.

³⁴ See Kidd to Rev. F.X. Laurendeau, February 7, 1935, Bishop Kidd Papers, JTK – 14/HF 4 CTA/FF1/L15, DLA. See also Leaflet, "Information for Taxpayers Concerning Cost of Services as Provided in Estimate for 1934," undated, Hepburn Papers, RG - 3 – 9 – 0 – 132, Box 183, OA and *The Hamilton Spectator*, March 29, 1935.

³⁵ *The Mail and Empire*, April 16, 1935.

³⁶ Quinn to O'Brien, April 12, 1935, Cardinal McGuigan Papers, MGSO20.10 (c), ARCAT.

³⁷ Quinn to Forbes, December 13, 1935, Archbishop Forbes Papers, File CTA, MG 22, AOA. Quinn stated to McGuigan "...if he is decisively beaten, it is bound to have a tremendous effect upon the Ontario Government, who will see in it a refusal of Protestant opinion to be stampeded by that class of citizen." See Quinn to McGuigan, December 12, 1935, Archbishop Forbes Papers, File CTA, MG 22, AOA. Simpson had told the Grand Orange Lodge for Ontario West he was "...definitely behind the Orange Order in its fight to prevent one cent being taken from the public schools and given to the Catholic schools." See the *London Free Press*, March 22, 1935.

³⁸ Quinn to Mr. Robert Kerr, February 7, 1936, Hepburn Papers, RG - 3 - 10, Box 252, OA. Kerr forwarded the letter to Hepburn, noting "The whole situation causes serious potentialities for both Catholics and the Liberal Party." See Kerr to Hepburn, undated, February, 1936, Hepburn Papers, RG - 3 - 10, Box 252, OA.

election. You Masons may be a little smoother than the Orange but you all belong to the devil, and time will no doubt prove it."³⁹

Unbeknownst to the CTA, however, the premier had finally been convinced that the timing was right to address the school tax question. In the fall of 1935, A.K. Cameron, representing the Protestant School Commission in Quebec, had carried on detailed correspondence with Hepburn on the merits of the assessment plan in force there, where corporate school taxes were divided on the basis of school population. New information coming to Quinn from Queen's Park also indicated that Cameron had met with McArthur and the Minister of Education, L.J. Simpson, as part of the premier's plan to go forward with a new policy.⁴⁰ Elements in the secular press, opposing the staunchly pro-Orange *Toronto Telegram*, were also speaking out in favour of the separate schools. *Saturday Night Magazine* noted that detractors of the proposed legislation really believed that separate schools "...should ultimately be starved out of existence in the Province of Ontario."⁴¹ *The Kingston Whig-Standard* bluntly declared:

The Publisher of this newspaper will not take second place to the *Toronto Telegram* editor, nor to anyone else, in their allegiance to the Protestant faith; but they are broad-minded enough to want the supporters of Catholic separate schools to be able to direct their own money to the support of their schools, so that they can give to their children an adequate education in modern schools.⁴²

³⁹ J. MacNamara to Hepburn, February 11, 1936, Hepburn Papers, RG - 3 - 10, Box 252, OA.

⁴⁰ Quinn to McGuigan, November 1, 1935, Cardinal McGuigan Papers, MGSO20.33 (a), ARCAT.

⁴¹ *Toronto Saturday Night*, March 21, 1936.

If Mitchell Hepburn had the sense that he owed something to Catholics, he decided that the time to repay his debt would be in the spring of 1936.

Claiming that a religious controversy was "...what we want in Ontario least of all," yet with a caucus seriously divided on the matter, Hepburn proceeded to draft a new separate school bill that February. Reactions in the legislature were almost immediate. Conservative A.H. Acres from Carleton charged that the whole business was tending towards religious discord in the province, and that there were "traitors among the Hepburn crew, and a 'would-be pilot', Mr. Quinn, who might lead them into dangerous waters."⁴³ Leopold Macauley, the Conservative for South York, harkened back to the Quinn letter of May 29, 1934, saying it had been "...got out by a partisan junta in order to further the interests of a political party."⁴⁴ The Tory Member for Dovercourt, Tom Duckworth, called for a delay in voting on the separate school bill, calling it "...one of the most vicious that have ever been introduced into this House."⁴⁵ William Price, the Conservative for Parkdale and former Attorney General, proclaimed himself "an advocate of national schools in Canada," and pledged to call for its repeal "at my earliest opportunity" should it be passed through the House.⁴⁶

⁴² *The Kingston Whig-Standard*, April 16, 1936.

⁴³ *The Globe*, February 28, 1936.

⁴⁴ *The Evening Telegram*, April 8, 1936.

⁴⁵ *The Globe*, April 9, 1936.

⁴⁶ *The Evening Telegram*, April 9, 1936.

Support did emerge from different corners of the legislature. J.H. Marceau, the Liberal M.P.P. from Nipissing, declared the viability of the separate schools critical to maintaining the original integrity of the Confederation agreement.⁴⁷ Appealing to the "fair-minded people in the province," the Anglican Member from Lincoln, F.H. Avery, was the first non-Catholic to announce his support for "a more equitable share of taxes for the separate schools."⁴⁸ Toronto Liberal Colonel A.T. Hunter, representing St. Patrick's, gave a plaintive speech in support of addressing the school tax question, calling the maintenance of the dual system the "price of unity," and referring to "taxes, quotas, embargoes, racial, regional and religious animosities" as threatening the "solidarity of Confederation."⁴⁹

In the midst of the predictable opposition, Quinn was active behind the scenes. He and Landriau had begun work that January on a historical survey of the school tax question, which they placed, by mid-February, in the hands of every member of Hepburn's caucus.⁵⁰ Catholics were rallied more publicly to support the premier outside of Queen's Park. In a national broadcast, famed "Radio Priest", Fr. Charles Lanphier, appealed to "fair-minded Protestants"

At no time during the present campaign have the supporters of minority schools doubted your honest earnestness and your sense of strict justice. We ask only this, our taxes for our schools. And no just man, mindful of

⁴⁷ *The Toronto Star*, February 13, 1936. See also *The Windsor Border Cities Star*, February 14, 1936.

⁴⁸ *The Toronto Telegram*, February 20, 1936.

⁴⁹ *The Toronto Star*, March 10, 1936.

⁵⁰ Quinn to McGuigan, February 15, 1936, Cardinal McGuigan Papers, MGSO20.46 (a), ARCAT.

the Constitution, will assert the absurd falsehood that we seek to rob the public school treasury. It is well within the power of the Government to legislate according to the ever true axiom: "Do unto others as you would be done by."⁵¹

Told later that Hepburn had been listening to the broadcast and that he found logic in the arguments presented, Lanphier concluded to Archbishop O'Brien "From what I can ascertain it appears that there is a better sentiment now for our cause amongst certain members of the Legislature."⁵²

The proposed separate school legislation, Bill 138, was finally introduced to the legislature on April 3, 1936. Understanding the intense emotions that were about to be unleashed across the province, Hepburn chose to present the bill himself, remarking "If I had not implicit faith in the people of Ontario, I would feel like the gladiators going into the arena announcing to the emperor: 'We who are about to die, salute you.'"⁵³ Once again, little opportunity had been left for discussion and debate.⁵⁴ With the Liberal caucus unable to compromise on the especially divisive issue of the Quebec Plan, the bill required continuous re-drafting. Quinn recalled later that Hepburn had admitted to handing it over to Paul Leduc in order to maintain a consensus within his caucus, something the socially conscious Roebuck was less likely to manage. Duncan McArthur then

⁵¹ Catholic Radio League Transcript, "The Separate School Question – Rev. Charles Lanphier," March 22, 1936, Hepburn Papers, RG - 3 – 10, Box 253, OA. Archbishop O'Brien sending a cheque for \$50 to the Catholic Radio League and his comments that: "As I listened on Sunday I could not help but appreciate into how many homes the truth was being delivered. If this is true of the School Question, it is true of your efforts every Sunday." See O'Brien to Lanphier, March 3, 1936, Archbishop O'Brien Papers, File "1936 - J,K,L," AAK.

⁵² Lanphier to O'Brien, May 4, 1936, Archbishop O'Brien Papers, File "1936 - J,K,L," AAK.

⁵³ Saywell, 'Just Call Me Mitch', pp. 260-262. See also *The Toronto Star*, April 4, 1936.

took responsibility for the actual wording of the legislation that March.⁵⁵ His opinion was that the demands in the CTA brief went beyond the parameters of the Constitution. His reading of Section 93, subsection (1) made the rights between Catholics and Protestants fixed in regard to the apportionment of taxes. Like Henry, he had originally suggested letting the courts decide on the matter:

If it were considered desirable to amend subsection 65 by imposing a duty upon the directors to divide their taxes, then, in order to avoid years of litigation, it would appear to be preferable to pass such an amendment making it subject to proclamation and to proclaim it only after the matter had been settled by the courts.⁵⁶

The premier, however, was determined to pass legislation. Counseling Hepburn, Percy Parker agreed that any division of taxes on a basis other than that mandated by separate school supporters (a) as individuals or (b) as shareholders, would go against the original intention of the Confederation agreement. The day before final voting on the bill, he relayed news that "Our members are viewing with growing apprehension the rising tide of opposition to the Separate School Bill. From conversations yesterday, I judge that a large number would refrain from voting or even vote against the Bill were it not for a profound sense of loyalty to yourself."⁵⁷ Hepburn concluded that the only way to deal with the divided caucus would be to return to the CTA's original plan of a series of legislative amendments.

⁵⁴ "Notice of Bill Presentation, Number 138, *An Act to Amend the Assessment Act*, April 3, 1936," Hepburn Papers, RG - 3 - 10, Box 253, OA.

⁵⁵ Quinn to Murphy, September 7, 1937, Cardinal McGuigan Papers, MGSO20.118, ARCAT.

⁵⁶ McArthur to Hepburn, "Final Memo Re: Separate School Taxes," February, 1936, Hepburn Papers, RG - 3 - 10, Box 253, OA.

Even though he had not been responsible for its drafting, Arthur Roebuck rose on April 6 to speak on behalf of the separate school tax bill. A gifted orator, he drew attention to the children who attended the under-funded separate schools, recalling George Henry's proposal to divert the school tax question to the courts in 1934: "What did they get from the leader of the Opposition? They asked for bread. He gave them a stone."⁵⁸ Attacking arguments as to the finality of the 1863 law, he demanded "No Act can be so drawn by one generation that no 'i' can be dotted, no 't' crossed by succeeding generations," and referred to *The Assessment Act* as proof of this impermanence.⁵⁹ Twice in the debate he called on Henry to acknowledge that a Conservative government would make it a priority to repeal the law, to no response.⁶⁰

The resulting statute, which amended both *The Separate Schools Act* and *The Assessment Act*, passed easily by a vote of 65 to 20 on April 9, 1936.⁶¹ Heightening the drama surrounding the contentious issue, Hepburn noted on the day of voting that his life had been threatened "in no uncertain way."⁶² Clearly a political compromise, the amendments would not pertain to public utilities, nor would they give Ontario the Quebec Plan sought by the CTA. The most significant separate school legislation since 1863, however, they did address the

⁵⁷ Parker to Hepburn, April 8, 1936, Hepburn Papers, RG - 3 - 10, Box 253, OA.

⁵⁸ "Transcript of Legislative Debate, Hon. Arthur Roebuck, Attorney General, April 6, 1936," Cardinal McGuigan Papers, MGSO20.49, ARCAT.

⁵⁹ Ibid.

⁶⁰ Ibid.

⁶¹ *The Globe*, April 9, 1936.

⁶² *The Ottawa Journal*, April 9, 1936.

inadequacy posed by the permissive *Assessment Act* by compelling corporations to divide their taxes between public and separate schools in proportion to the declared ownership of stock. Section 33a directed that corporations must allocate their taxes in equal measure to the percentage of shares owned by Catholics who registered themselves as separate school supporters. For corporations with more wide ranging ownership, where a determination of the number of Catholic shareholders virtually impossible, Section 33b directed taxes to be divided according to the ratio of public and separate school supporters in the municipality.⁶³

The separate school amendments had served to immediately reverse the spirit of ill-will that had so long plagued the school tax question. While Conservative G.C. Elgie eulogized the loss suffered by the public schools at a post mortem sponsored by the Toronto Orange Lodge at Stoodleigh's Restaurant at Mutual and Shuter Streets, Catholics rejoiced across the province.⁶⁴ Noting he had kept silent on the topic in recent weeks, fearing his words might be manipulated against the cause, Fr. Lanphier commented

Seldom in the long history of this province since Confederation has such a bitter battle been waged in the effort to present elementary justice being carried into effect, but likewise has this province seldom if ever produced a leader of more or equal fearlessness and courage as our present premier. To the whole large Protestant body of people, who verbally, through the mail or by their moral support have shown their fair mindedness in this important issue, we can only say in the words suggested by the premier: "Indeed you

⁶³ Bill 138, *An Act to Amend the Assessment Act*, (1936), 1 Edward VIII.

⁶⁴ The meeting was sponsored by Unity Lodge No. 432. See *The Toronto Telegram*, May 7, 1936.

desired to do so unto others as you would have others do unto you."⁶⁵

A.L. Landriau reflected on the unique significance the amendments held for the true nature of Catholic Action, remarking "out of the mutual understanding which has grown between ecclesiastical authority and lay responsibility, Catholics in this Province...and who knows in what other fields...will have benefited greatly."⁶⁶ In a telegram to Quinn, Frank O'Connor noted "Legislative action at four o'clock this morning...should add to your enjoyment of a date that marks a milestone in your life as well as one of progress of a people who owe so much to you."⁶⁷

For the time being, Quinn was toasted as the lay Catholic champion of Ontario's separate schools. *The Canadian Freeman* claimed he had "... placed our people so deeply in his debt that they can never hope to repay it or even suitably acknowledge it," and called the amendments an "emphatic rebuke to bigotry and prejudice."⁶⁸ While he grumbled that elements in the clergy would never be completely comfortable with the idea of lay autonomy, Quinn moved ahead with cautious optimism.⁶⁹ In a rare concession, the editor of London's

⁶⁵ Transcript, "Newscast and Review in Religion – Address by Rev. Charles Lanphier," April 12, 1936, Hepburn Papers, RG - 3 – 10, Box 253, OA.

⁶⁶ Landriau to McGuigan, June 1, 1936, Cardinal McGuigan Papers, MGSO20.59 (a), ARCAT.

⁶⁷ Canadian Pacific Telegram, Quinn to O'Connor, April 9, 1936, Cardinal McGuigan Papers, MGSO20.50, ARCAT.

⁶⁸ *The Canadian Freeman*, April 9, 16, 1936.

⁶⁹ "I have heard of some, including, particularly, several of the priests, who confine themselves to growling because we did not get utilities, but as an Archbishop said to me, 'there is a class of people who is always depressed by what they do not get rather than elated by a

Catholic Record, Fr. Francis Brennan, acknowledged Quinn's determination, and that he had "learned to admire [you] laymen very much for the work [you] did and the sacrifice [you] made."⁷⁰

While he understood the amendments to be less than perfect, Quinn wrote to the parish chairmen, boldly predicting that the separate schools would see \$500,000 in new assessments in the first year "without any action at all on the part of Catholics." True to his determined and uncompromising nature though, Quinn was adamant that they could not let down their guard, and that new challenges lay still ahead. Calling for the reactivation of the local study clubs, he pleaded

As never before...your Committee has an opportunity to serve, and a religious and national duty to perform, to the end that every Catholic should be thoroughly informed in respect to the simple facts which justify the recent legislative action, and so shall be in a position to intelligently discuss the matter with their Protestant neighbours and fellow citizens.⁷¹

Maintaining a positive disposition, he closed by remarking on the power of Catholic Action, declaring "we have seen our efforts crowned with a degree of success not dreamed of five years ago."⁷²

This Ontario hierarchy also shared in the spirit of jubilation. In a rare display of financial gratitude, they awarded Quinn a \$1,000.00 honorarium to offset the costs of his planned trip to address to the General Meeting of the

substantial measure of success." See Quinn to James E. Day, April 23, 1936, CTAP, File 11, Series 46, MSSBA.

⁷⁰ Brennan to James E. Day, May 2, 1936, CTAP, File 11, Series 46, MSSBA.

⁷¹ Quinn to Parish Chairmen, May 12, 1936, CTAP, File 11, Series 46, MSSBA.

⁷² Ibid.

Catholic Educational Conference of Australia. In the process of creating an Australian Taxpayer's Association, Conference Chairman P.S. Cleary had followed the CTA's success with great interest, and pressed Quinn to make the journey as the "logical spokesman for this great and successful movement of the Catholic people."⁷³ Ironically though, the trip would leave the school tax question without its strongest Catholic advocate at the very moment he was most needed.⁷⁴

In the fall of 1936, Hepburn's attention was drawn to the rural scattering of communities between Belleville and Napanee that made up the 3,600 square mile provincial riding of East Hastings (Appendix A). The death of Conservative James Hill on October 15 necessitated a by-election that Hepburn sensed would be a perfect opportunity to test the political climate in the aftermath of his divisive school tax amendments. At 75% Protestant, East Hastings reflected the overall provincial religious demographic.⁷⁵ Although Liberal strategists and supporters warned that victory here would be difficult, the premier concentrated on the slim four hundred and eighteen-vote margin from the previous election.⁷⁶ Described

⁷³ See P.S. Cleary, Editor, Catholic Press of Australia to Quinn with "Resolution of the Australian Catholic Educational Conference," September 11, 1935, and Quinn to McGuigan, October 8, 1935, Bishop Kidd Papers, JTK - 14/HF 4CTA/FF1/L43 and L28, DLA.

⁷⁴ "Resolution of the Australian Catholic Educational Conference" Bishop Kidd Papers, JTK - 14/HF 4CTA/FF1/L43, DLA. See also Dr. E. Ryan to Quinn, undated, and "Legal Transcript of Incorporation for the Catholic Taxpayer's Association of Australia, November 15, 1936," Cardinal McGuigan Papers, MGSO20.79 and .304, ARCAT.

⁷⁵ "Hastings East By-Election, December 9, 1936 - Statistics Pertaining to Roman Catholic Vote," Compiled by T.J. Madigan, Hepburn Papers, RG - 3 - 12, Box 352, OA.

⁷⁶ Elmhirst to Hepburn, undated, Hepburn Papers, RG - 3 - 10, Box 251, OA. Referring to East Hastings, the Secretary of the Ontario Liberal Association, Harry Johns, noted that "had fortune offered the Hon. Earl Rowe, the new Conservative leader, his choice of a site in which to

by John Saywell as "hot and impulsive...hyperbolic in speech and behaviour...(he lived) on the edge of his physical and emotional resources," Hepburn was hungry for the challenge posed by East Hastings.⁷⁷ Facing calls from both the Conservatives and the *Toronto Telegram* to repeal the amendments, and the charge from Earl Rowe that the Liberals were now "tools of Rome", Hepburn saw here an opportunity to emphasize every other component of the Liberal platform.⁷⁸ He would erase the perception that his party served only special interests or minority rights.

The campaign pitted rural physicians Dr. Harold E. Welsh, a Conservative from the town of Roslin, against Liberal Dr. Harold A. Boyce from Deseronto. As the by-election transformed into a province-wide media spectacle, eventually stealing at least some attention from the "abdication crisis" of England's Edward VIII, the two candidates soon became incidental. With Quinn away, and no strong foothold for the CTA in the riding, Hepburn was free to ignore his school tax amendments.⁷⁹ Virtually living in the riding for most of November, he assembled a campaign team that included cabinet ministers and backbenchers

counter a by-election, a better one, from his stand point, could not have been selected, on account of its historical Conservative and Orange affiliation." See Johns to "Fellow Liberals," November 9, 1936, Hepburn Papers, RG - 3 - 10, Box 251, OA. Even Dr. A.R. Dafoe, celebrated world-wide in the 1930s as the man responsible for delivering the Dionne Quintuplets, wrote of his old home electoral district to the premier, "...knowing the places and kind of people with whom you have been campaigning, I want you to know that I have greatly admired the sincerity and tone of your speeches there the past few weeks." See Dafoe to Hepburn, November 30, 1936, Hepburn Papers, RG - 3 - 10, Box 251, OA.

⁷⁷ Saywell, *Just Call Me Mitch*, p. 4.

⁷⁸ *The Toronto Telegram*, April 25, 30, 1936. See also McKenty, *Mitch Hepburn*, p. 81.

⁷⁹ While the Conference lasted from November 8-15, Quinn and his wife returned by way of London, where he reported to Archbishop (later Cardinal) Hindsley on the success of the CTA.

from every section of the province. To a man they were Protestants and, the Liberals hoped, represented portfolios where evidence of strong fiscal management would be more critical to the depression-era rurals than talk of separate school taxes (Appendix 5.B).⁸⁰

On November 16, in the town of Cannifton, Duncan Marshall, the Minister of Agriculture, pointed to increased Liberal infrastructure spending in East Hastings, with \$21,500 in direct grants approved by the province and labour costs to be covered through unemployment relief.⁸¹ In Maynooth, two evenings later, Hepburn announced that his government had reduced the provincial debt by \$3 million since their first fiscal year in office.⁸² Residents in the towns of Port Anne and Queensborough were told on November 20 how the Liberal's campaign promise to scrap government cars had saved \$37,957.75 in 1935 alone.⁸³ One week later, College Hill heard of the miraculous recovery of the Department of Games and Fisheries, where a deficit of some \$12,000 left by the Henry Conservatives had been parlayed into a profit in excess of \$230,000.⁸⁴

He did not arrive back in Canada until after the East Hastings by-election. See Quinn, *Frustration*, p. 12.

⁸⁰ Conspicuous by their absences were Catholic cabinet ministers Paul Leduc, who remained in Toronto, and Peter Heenan, who was on vacation in Europe. See "List of the Members Who Assisted in the East-Hastings By-Election," Hepburn Papers, RG - 3 - 12, Box 352, OA.

⁸¹ McQueston to Hepburn, November 14, 1936, Hepburn Papers, RG - 3 - 12, Box 352, OA.

⁸² *The Globe and Mail*, November 19, 1936.

⁸³ "Report of the Provincial Auditor," November 9, 1936, Hepburn Papers, RG - 3 -12, Box 352, OA.

⁸⁴ The College Hill speech took place November 26, 1936. See "Memo - Campaign Agenda," Elmhirst to Hepburn, undated, Hepburn Papers, RG - 3 -10, Box 352, OA.

Likewise, the Workmen's Compensation Board's 1933 deficit had been increased to a surplus of \$320,000 in 1936. New legislation now permitted claims of up to \$250,000, and better management of its investments had increased the bank value of the Board to over \$636,000 worth of securities.⁸⁵

Late in the campaign, Hepburn's Secretary, Roy Elmhirst, wired the team a new grocer's list of Liberal accomplishments. These included: 30,000 children and 10,419 women benefiting under the Mother's Allowance Program, 900 municipalities operating under new government guidelines, savings of \$110,000 annually derived from the consolidation of the Attorney General's Office, and a \$50,000 surplus in the Ontario Securities Commission, which under Conservative management had left a deficit of \$14,000.⁸⁶

Led by Earl Rowe, the Conservatives, who had already pledged to repeal the school tax law at their provincial convention that spring, would not allow it to be soft-peddled at East Hastings.⁸⁷ Their stratagem clearly anticipated re-awakening the anti-Catholic anxieties in this bastion of Orange, Tory Ontario that had marked previous provincial battles during the era of "no popery."⁸⁸ The local Conservative Association, adopting the motto "Vote for Dr. H.E. Welsh and Repeal," had rallied more than five hundred people to the Town of Gilmour on November 22. Charging that the effect of the new legislation was twofold, the

⁸⁵ Madigan to Hepburn, November 28, 1936, Hepburn Papers, RG - 3 -12, Box 352, OA.

⁸⁶ George Drew had been the Ontario Securities Commissioner under the Henry administration. See Elmhirst to Hepburn, December, 1936, Hepburn Papers, RG - 3 -10, Box 251, OA.

⁸⁷ This same convention had seen Earl Rowe defeat George Drew for the leadership of the Conservative Party. See Walker, Catholic Education and Politics, vol. II, p. 426.

Conservatives maintained that it would erode current public school support, and encourage the growth of new separate schools where they had not previously existed.⁸⁹ Capitalizing on Hepburn's reluctance to be drawn into a religious controversy, outspoken Conservative George Drew announced in Deseronto on November 27 "in the minds of the people of this riding, the main issue is that raised by the recent amendment to *The Separate Schools Act*."⁹⁰

The Conservatives were also quick to call the premier's "Catholic connections" into question. Speaking at "Naylor's Open House" two nights earlier, Rowe had encouraged local Orangemen by announcing that Hepburn "...may promise you a new highway, down past Frank P. O'Connor's birthplace, ...or make a bigger parade of discharged civil servants than ever marched down University Avenue on July 12," but claimed that neither would be as inspirational as an Orange Day Parade.⁹¹ A native of Deseronto and a well-known Liberal fund-raiser, O'Connor had made bequests totaling \$500,000 to a host of charitable organizations in 1936, largely benefiting the Archdiocese of Toronto (Table 5.1). Understanding the controversy being stirred over his association with Hepburn during the by-election, he maintained a discreet distance from East Hastings.

⁸⁸ Walker, *Catholic Education and Politics*, vol. II, pp. 157-191.

⁸⁹ *The Globe*, November 23, 1936. See also Campaign Leaflet, "The Separate School Issue," The East Hastings Conservative Association, Hepburn Papers, RG - 3 -12, Box 352, OA.

⁹⁰ "C.R.C.T. Transcript of Drew Speech at Deseronto, November 27, 1936," Hepburn Papers, RG - 3 -12, Box 352, OA.

⁹¹ "Naylor's Open House" also took place in Deseronto. See *The Post (Deseronto) and Quinte Counties Leader*, November 25, 1936, vol. 26, No. 23, Hepburn Papers, RG - 3 - 12, Box 352, OA.

**Table 5.1 Senator Frank O'Connor
Charitable Bequests 1936**

| Item | Organization | Amount |
|--------------|--|---------------------|
| 1. | Monastery of the Precious Blood, Toronto | \$25,000.00 |
| 2. | The Newman Club, University of Toronto | \$23,000.00 |
| 3. | The Canadian National Institute for the Blind, Toronto | \$10,000.00 |
| 4. | The Hospital For Sick Children, Toronto | \$10,000.00 |
| 5. | St. Joseph's Hospital, Peterborough | \$10,000.00 |
| 6. | Precious Blood Church, Wexford, Ontario | \$10,000.00 |
| 7. | The Toronto Star Fresh Air Fund | \$1,000.00 |
| 8. | The Carmelite Sisters – Ossington Avenue, Toronto | \$1,000.00 |
| 9. | The Archbishop of Toronto | \$410,000.00 |
| Total | | \$500,000.00 |

Source: O'Connor to Hepburn, November 30, 1936, Hepburn Papers, RG-3-10, Box 251, OA .

The low water mark of the entire campaign, however, occurred in the town of Plainfield on the evening of November 26. In a not so gentle reference to the dominant Catholic population in Canada, Drew stressed

It is not unfair to remind the French that they are a defeated race and that their rights are only rights because of the tolerance of the English element, who, with all respect to the minority, must be regarded as the dominant race.⁹²

While insisting his meaning had been misconstrued, there was no mistaking the fact that in order to win in East Hastings, George Drew had revisited the sectarian appeals that had not openly marked political relations between Protestants and Catholics in the province in forty years.⁹³

⁹² *The Toronto Star*, November 27, 1936.

⁹³ Drew claimed "...I merely referred to a historical fact, which is described in almost the same language as I used in the school books of Quebec and Ontario." See "C.R.C.T. Transcript, George Drew Speech, Belleville, Ontario, December 3, 1936," Hepburn Papers, RG - 3 - 10, Box 251, OA. Op. cit., Walker, *Catholic Education and Politics*, vol. II, pp. 443-444.

The strong anti-Catholic fervour burgeoning at East Hastings was imbued by wide-ranging Protestant support. The virulent paper *Protestant Action* saw the by-election as an "opportunity," and pleaded for a Conservative landslide:

Mr. Hepburn says there is a new alignment of parties in Ontario now. Quite true. On one side are the Hepburn Liberals, the Knights of Columbus, and the Catholic Taxpayer's Association, the priests and Jesuits of the Church of Rome, the Hibernians and all the Pope's agents and politicians – and on the other side stand the 100% Protestants – Liberals, Conservatives, Independents – those who believe in the Public School and are prepared to fight for it and safeguard its interests so that it will not be handed over a bit at a time to the Roman hierarchy.⁹⁴

The "Protestant Radio League Hour" offered a broadcast from Rev. Morris Zeidman on November 29, who announced "The eyes of the Public School supporters in this Province are upon the people of East Hastings."⁹⁵ Appealing to passions already raised by Drew and Rowe, he added "I want to deal with the subject of state subsidy of the Pope's Church, which is of such vital importance to us as Protestants, because our spiritual forefathers fought, were tortured, and died for the freedom of conscience and the Protestant faith."⁹⁶

Ironically, it was Martin Quinn who would bear at least some of the responsibility for this Protestant backlash at East Hastings. As well known for his short fuse as for his commitment to the CTA, Quinn had initially extended an olive branch to the Anglican Synod of Toronto in the spring of 1935, suggesting an informational meeting in the hope of "a better mutual understanding" on the

⁹⁴ "East Hastings Opportunity," *Protestant Action* - "A Militant, Protestant and Patriotic Newspaper", Vol. 1, No. 2, Toronto, November, 1936.

⁹⁵ Transcript, "Where there is No Vision, the People Perish," The Protestant Radio League, November 29, 1936, Hepburn Papers, RG - 3 - 12, Box 352, OA.

school tax question. Later, he withdrew the offer following public accusations of "Catholic tax grabbing" and "Romish insurgence" from prominent Anglicans in both Toronto and Kingston.⁹⁷ Responding to the request for an interview from the Archdeacon of York, Quinn concluded that "Perfect frankness...compels me to point out [that] such an appointment would seem to have been rendered futile in advancing any effort toward a reasonable understanding between us."⁹⁸

Quinn had also raised eyebrows on the eve of the new separate school bill. Speaking to the St. Gregory's Council of the Knights of Columbus in Oshawa on February 10, 1936, he publicly charged in reference to Hepburn, that "If that bird doesn't come across now, we'll kick him out."⁹⁹ Despite both private and public appeals to the premier, and a statement to the *Toronto Star* in which he denied the CTA had ever taken credit for electing the Liberals, the damage had been done.¹⁰⁰ Catholic fears that the Quinn speech had been "loaded with dynamite" were about to come to fruition.¹⁰¹ Referring to the in-fighting that had marked caucus debates over the school tax bill, the *Mail and Empire*, described it as being "costly to separate schools," and was now expecting "curtailed

⁹⁶ Ibid.

⁹⁷ Quinn to Most Rev. D.T. Owen, May 23, 1935, Cardinal McGuigan Papers, MGSO20.17 (a), ARCAT. See also *The Kingston Whig-Standard*, June 12, 1935 and *The Evening Telegram*, July 15, August 2, 1935.

⁹⁸ Quinn to Venerable G. Warren, September 6, 1935, Cardinal McGuigan Papers, MGSO20.25 (c) ARCAT.

⁹⁹ Ivers Kelly to Hepburn, February 11, 1936, Hepburn Papers, RG - 3 - 10, Box 252, OA.

¹⁰⁰ Canadian National Telegram, Quinn to Hepburn, February 10, 1936, Hepburn Papers, RG - 3 - 10, Box 252, OA. See also *The Toronto Star*, February 11, 1936.

¹⁰¹ Brother Alfred Dooner, FSC to McGuigan, February 12, 1936, Cardinal McGuigan Papers, MG SO20.44 (a), ARCAT.

proposals" on the school tax law.¹⁰² The once supportive *Star*, fearing the inevitable religious upheaval that was to come, backed away from its support of the CTA.¹⁰³ General Committee members felt abandoned by Quinn, and James Day charged he had overstepped the limits of his authority, pointing out that "the cause is greater than anyone's personal feelings, and I think you get greater loyalty from the members of the Committee than ever was the case in any Catholic movement before."¹⁰⁴

The Protestant Churches began responding to what they viewed as a Catholic political insurrection. In his weekly address at Windermere Avenue United Church, Rev. W.L. Lawrence charged that public school money would be diverted to the separate schools.¹⁰⁵ Dr. J.G. Inkster, speaking before the Toronto Presbytery of the Presbyterian Church of Canada, declared the Hepburn bill *ultra vires*, calling it a renewal of the fight for separate school jurisdiction "beyond fifth form."¹⁰⁶ Addressing the 12th annual conference of the United Church of Canada in Hamilton that June, Rev. Fred Dowling of St. Catharine's called for a resolution demanding the immediate repeal of the school tax amendments.¹⁰⁷

¹⁰² *The Mail and Empire*, February 24, 1936.

¹⁰³ Joseph Atkinson, President of *The Toronto Star*, declared to Hepburn that "...while we want to be Liberals, we won't see the party turned into any bobtail or 5th wheel for the RC's." Turning to Quinn, Hepburn noted the "marked change in the editorial stance of the Toronto Star." See Atkinson to Hepburn, March 2, 1936 and Hepburn to Quinn, February 21, 1936. Both citations in RG - 3 - 10, Box 252, OA.

¹⁰⁴ James E. Day to Quinn, March 24, 1936, CTAP, File 11, Series 46, MSSBA.

¹⁰⁵ *The Toronto Star*, March 3, 1936.

¹⁰⁶ *The Mail and Empire*, March 8, 1936. See also *The Globe*, April 8, 1936.

¹⁰⁷ *The Hamilton Spectator*, June 4, 1936.

No individual Protestant clergyman, however, exerted more energy in the battle over the separate school law than the irascible pastor of Toronto's Jarvis Street Baptist Church, Rev. T.T. Shields. An inveterate anti-Catholic, Shields had consistently opposed what he considered to be Hepburn's liberal Protestantism since the 1934 election, and viewed the separate school law as adding insult to injury.¹⁰⁸ Bridging this with his other major social concern, prohibition, he charged that the premier had linked political arms with the Catholic Church, "Just as undoubtedly his election was assisted by the brewers in order that he might give them all that they asked."¹⁰⁹ As discussion of a revised separate school bill spread in early 1936, Shields led an inter-faith delegation comprised of representatives of the Anglican, Baptist, Presbyterian and United Churches to see the premier on February 3, in order to express their very definite "Protestant concerns."¹¹⁰ Following Quinn's Knights of Columbus

¹⁰⁸ Relenting to his status as "chief antagonist" to Hepburn on the matter of *aid* to the separate schools, Shield's apologist, Leslie K. Tarr, rejects the notion of an "...anti-Roman Catholic bias" in his thinking, pointing rather to his devotion to the separation of Church and State. The evidence presented at East Hastings would tend to contradict this defense, as would the fact that Shields' strong imperial feeling and relentless criticism of Catholic leaders in Quebec during the course of both World Wars eventually saw him expelled from the Baptist Conventions of Ontario and Quebec. See Leslie K. Tarr, Shields of Canada: T.T. Shields (1873-1955), (Grand Rapids: Baker House, 1967), p. 125.

¹⁰⁹ *The Gospel Witness*, Rev. Dr. T.T. Shields, ed., March 1, 1935.

¹¹⁰ He was joined by Rev. J.B. Thompson of Dufferin Presbyterian Church and the Rev. W. Thomas of Cooke's Church. See *The Evening Telegram*, March 4, 1936 and *The Toronto Star*, March 4, 1936. In later years he would continue as the leading opponent to Catholicism in Canada. A Pontifical High Mass celebrated on Parliament Hill in 1941 prompted Shields to create the Canadian Protestant League, which opposed "...the political aims of the Roman Catholic Church." This was followed three years later by the "Inter-Church Committee on Protestant-Roman Catholic Relations," which specifically objected to any expansion of separate school rights. The Committee employed a researcher full time for one year to assist in the preparation of their brief to the Hope Commission, then in the process of gathering information in support of a re-structuring of the education system in Ontario. See "Brief of the Inter-Church Committee on Protestant-Roman Catholic Relations – November 11, 1945. See also "Baptists and Organized

speech, Shields took his fight with the premier public, releasing to the media details of the delegation's "confidential brief to the premier," which included opposition to "any concession" or "increased privilege" for separate schools.¹¹¹

Lampooned for his demagoguery in the popular press as "Tittering Tilly,"¹¹² Shields continued to pursue Hepburn at East Hastings.¹¹³ Expending considerable energy in the riding himself, he challenged the premier to a public debate on the separate school legislation, noting it would be the first opportunity to test the general climate of opinion in the province.¹¹⁴ Claiming to represent "concerned Protestants," he joined Drew and Rowe late in the campaign, lacing vitriolic attacks on institutional Catholicism with his renowned dramatic flare. On December 1, in the town of Deseronto, he accused Hepburn of being a "pawn of the Catholic bishops"; in Cannifton the next evening he committed to protest any political intrusion into the realm of religion if he had to "die at the stake."¹¹⁵ Safe in the knowledge that he had raised the bar of sectarian indignation at East Hastings, Shields surrendered the podium that evening to Orangeman Cecil W. Armstrong, who spoke more directly in favour of a single educational system "...where the little red-headed micks and the Protestant pups alike can go."¹¹⁶

Opposition to Roman Catholics, 1941-1962" by Brent Reilly, in Jarold K Zeman ed., Costly Vision – The Baptists Pilgrimage in Canada, (Burlington: Welch Publishing Company Inc., 1985), p. 185.

¹¹¹ Albert Moore to Hepburn, March 7, 1936, Hepburn Papers, RG - 3 - 10, Box 253, OA.

¹¹² "Hush - The Newspaper With a Heart", March 2, 1935.

¹¹³ Shields to Hepburn, March 2, 1935, Hepburn Papers, RG - 3 - 10, Box 336, OA.

¹¹⁴ Shields to Hepburn, November 26, 1936, Hepburn Papers, RG - 3 - 12, Box 352, OA.

¹¹⁵ Elmhist to Hepburn, December 4, 1936, Hepburn Papers, RG - 3 - 12, Box 352, OA. See also *The Toronto Star*, December 3, 1936.

The rising tide of Protestant opposition left Hepburn desperate to score quick points in the campaign. Rowe's casual remark in Belleville on November 16, in reference to public sector hiring practices, that "No man who served a term in jail for breaking a law should ever expect to get a job that you and I pay for," provided one such opportunity.¹¹⁷ A car accident involving the Conservative leader the previous June, in which two elderly women were injured, had been quickly swept under the carpet and kept from the media headlines. Reviewing the official police report, Liberal strategists uncovered the fact that, though no charges had been laid, the reporting officer had found Rowe to be at fault.¹¹⁸ Addressing the Liberal gathering at Purdy's School House on November 28, the Provincial Secretary, Harry Nixon, questioned the absence of a criminal prosecution in the case, claiming "Many a good man has gone to jail for less."¹¹⁹ Next, Rowe was accused by the Liberals of disloyalty to Canada for never having taken out naturalization papers here. Drew's response in Deseronto on November 27, that the Conservative leader was a victim of circumstances, born

¹¹⁶ *The Toronto Star*, December 3, 1936. Just prior to the East Hastings campaign, Shields noted: "[The Roman Catholic Church] hates the British Empire as I wish it could learn to hate the devil...All the Communists in Canada put together will never do the harm the Roman Catholic Church is doing every day." See Saywell, *"Just Call Me Mitch"*, p. 271.

¹¹⁷ "C.R.C.T. Transcript – Rowe Speech, Belleville, Ontario, November 16, 1936," Hepburn Papers, RG - 3 - 12, Box 352, OA.

¹¹⁸ The Liberals requested the report of the accident on November 27, 1936 from the Toronto Police Department. It noted the injury of two elderly women at the intersection of Lytton Blvd. and Duplex Ave. in North-Central Toronto, as a result of the driver, Rowe, running a stop sign. There were two eyewitnesses to the accident, and in the police transcript, the reporting constable noted reckless driving as the probable cause, although no charges were laid. See Toronto Police Department Report, June 8, 1936, Hepburn Papers, RG - 3 - 12, Box 352, OA. See also *The Mail and Empire*, June 10, 1935.

¹¹⁹ "Transcript of Nixon Speech - Toronto Police Department Report, June 8, 1936," Hepburn Papers, RG - 3 - 12, Box 352, OA.

to Canadian parents while abroad, and all "good, loyal British subjects at that" satisfied the crowd, and made Hepburn's team appear as desperate as they clearly were.¹²⁰

Relenting to incessant protests that they were avoiding the issue, the Liberals changed tack to defend their educational initiatives late in the campaign. To this end, Simpson compiled a barrage of fiscal accomplishments by his ministry, including: \$180,000 saved taxpayers by removing student fees to write provincial exams; a \$50,000 reduction in the advertising budget for the Department of Education; a new policy for reviewing standard school texts; and better core-curricular development of both elementary and secondary programs of instruction in the schools.¹²¹ It would be in an open letter, however, addressed "To the Electors of East Hastings," that Hepburn finally broached the topic of the school tax law, making his strongest appeal of the campaign. Declaring his opponents had disregarded "the real and important issues," he defended the economic logic of the new amendments.¹²² As he now described it, reduced tax rates and stricter Catholic accountability in the management of educational finances would accompany their allocation of a portion of corporate

¹²⁰ "C.R.C.T. Transcript of Drew Speech at Desoronto, November 27, 1936," Hepburn Papers, RG - 3 - 12, Box 352, OA. Hepburn's Secretary, Roy Elmhirst, wired the premier at the Quinte Hotel in Belleville a copy of the Provincial Auditor's Report for 1934 showing Drew had received \$64,036.35 as the Assistant Master at Osgoode Hall. Continuing in this vain, Elmhirst carried out correspondence with Marie Musselman in Drew's home district of Guelph in order to gather information on his activities there before entering public life. See Elmhirst to Hepburn, December 1, 1936, Elmhirst to Musselman, December 3, 1936 and Elmhirst to Roebuck, December 3, 1936. All above citations found in Hepburn Papers, RG - 3 - 10, Box 251, OA.

¹²¹ Simpson to Hepburn, undated, Hepburn Papers, RG - 3 - 12, Box 352, OA.

¹²² Hepburn to "Electors of East Hastings," December 5, 1936, Hepburn Papers, RG - 3 - 10, Box 251, OA.

assessments.¹²³ Referring to the practice established by previous governments of closing the revenue gap between boards by increasing provincial grants, Hepburn showed the results to have been particularly deleterious to the public schools. East Hastings alone had seen a 40% decrease in these grants in the previous six years. Under the Liberal administration this trend had been reversed, with the larger centres of Deseronto, Madoc and Tweed all receiving more money in 1936 (Table 5.2).¹²⁴

**Table 5.2 Educational Grants
Riding of East Hastings 1935-1936**

| Township | 1935 | 1936 |
|-----------|------------|------------|
| Deseronto | \$973.31 | \$1,058.06 |
| Madoc | \$1,056.60 | \$1,304.20 |
| Tweed | \$1,099.64 | \$1,246.17 |

Source: McArthur to Hepburn, November 16, 1936, Hepburn Papers, RG-3-10, Box 352, OA .

Convinced he had finally struck the right chord in the election, Hepburn pledged "If after two years, you are dissatisfied and no adjustment is made, you are

¹²³ Hepburn noted "Whereas it was the policy of the Conservative government to support separate schools by increasing provincial taxation, it is the policy of the Liberal government to compel separate school supporters to maintain their own schools through the local taxes of their own properties." See Hepburn to "Electors of East Hastings," December 5, 1936, and Campaign Leaflet, "Vote Boyce – Hepburn Saved You Money and Gave You a New Deal," the East-Hastings Liberal Association, Hepburn Papers, RG - 3 - 10, Box 25, OA. Hepburn was further encouraged by the East Hastings Liberal Association to "Explain that the Assessment Act is not operating yet, and is the first honest attempt to solve a problem that was becoming unbearable. If not satisfactory, the Act will be amended." See Memo – East Hastings Liberal Headquarters to Hepburn, December, Hepburn Papers, RG - 3 - 12, Box 352, OA.

¹²⁴ Hepburn to "Electors of East Hastings," December 5, 1936, Hepburn Papers, RG - 3 - 10, Box 251, OA. The Minister of Education, L.J. Simpson, relayed to the premier information contradicting Earl Rowe's charge that the separate school law reduced rural and urban public school grants in East Hastings by 14% and 35% respectively, noting that in actual fact the rural schools received an increase of 9.5% and the urban schools of 3.6%. See C.N. Telegram – undated, Simpson to Hepburn, Hepburn Papers, RG - 3 - 12, Box 353, OA.

entirely privileged and justified in voting against the Government for the purpose of respect to the Act."¹²⁵

The people of East Hastings took far less time, however, to register their dissatisfaction with Mitchell Hepburn and his separate school amendments. On December 9, the Conservatives dealt Hepburn his first electoral defeat in ten years of public life, with a majority of 1,136 votes, almost tripling their showing from 1934.¹²⁶ Taken as a microcosm of provincial feeling to the divisive issue, the premier could not deny he had been sent a message. While the enumeration list for 1936 showed an increase of only forty-seven more names from the previous election, voter turnout in the riding had risen from 79.2% to 85.5%. In terms of votes polled, the Conservatives saw an increase of 8.24%, while the Liberals rose a mere .99% (Graphs 5.1 and 5.2).¹²⁷ The numbers were even more troubling for the Liberals when viewed from the perspective of religious demography in the sixteen polling centres. Tyendinaga Township, for example, where Catholics represented 45% of a total population of 2,078, saw its Liberal majority reduced by better than 57% over 1934, owing to an increase of 118 polled votes. Huntingdon and Thurlow, both 10% Catholic, saw their Conservative majorities explode from 123 and 250 in 1934 to 544 and 340 in

¹²⁵ Hepburn to "Electors of East Hastings," December 5, 1936, Hepburn Papers, RG - 3 - 10, Box 251, OA.

¹²⁶ "Hastings-East By-Election Results – December 9, 1936," Compiled by T.J. Madigan, Hepburn Papers, RG - 3 - 12, Box 352, OA.

¹²⁷ "Hastings East By Election, December 9, 1936 - Statistics Pertaining to Roman Catholic Vote," Compiled by T.J. Madigan, Hepburn Papers, RG - 3 - 12, Box 352, OA. See also Memo, Government Clerk's Office to Hepburn, December 22, 1936, Hepburn Papers, RG - 3 - 10, Box 251, OA.

1936. While the Catholic vote remained generally consistent with the turnout for the provincial election two years earlier, Protestants had clearly rallied in opposition to the separate school "concessions" they abhorred. Attempting to bolster Hepburn's spirits, the Secretary of the local Liberal Riding Association informed him that Tweed had only been lost by only thirty-nine votes, "...the best showing ever made by the Liberals here."¹²⁸ This was small consolation for the great importance he had placed on victory at East Hastings.

While a brass-band led Welsh and Rowe in parade through the streets of Deseronto the next day, the premier put on a brave face, even paying a wager he had made with a friend over the outcome of the voting.¹²⁹ Remarking that "economic problems were relegated to the limits of forgotten things," he was willing to concede that the separate schools question had been the difference in the by-election, but promised not to allow its results to alter his government's course.¹³⁰

¹²⁸ Mr. Sam Hathaway to Hepburn, December 10, 1936, Hepburn Papers, RG - 3 - 10, Box 251, OA.

¹²⁹ *The Globe and Mail*, December 10, 1936. Hepburn included a cheque for \$25 in a letter to Mr. Sam Nesbitt, noting "The way of the transgressor is not only hard but expensive, especially when you are on the losing side." See Hepburn to Nesbitt, December 10, 1936, Hepburn Papers, RG - 3 - 10, Box 251, OA. The premier received one particularly insolent "Sympathy Card" from a disgruntled Conservative, extending "...sincere sympathy on the sad loss you suffered on December 9, 1936 at East Hastings, Ontario. I understand that the loss was not expected. You are requested to attend the funeral. Pall Bearers will be: Frank O'Connor, Mitch Hepburn, Dunc. Marshall, Arthur Roebuck, Davie Croll and Harry Nixon. Officiating Minister – Dr. T.T. Shields. Last Post – Col. George Drew." See R. McCulloch to Hepburn, undated, Hepburn Papers, RG - 3 - 10, Box 251, 1936, OA.

¹³⁰ Hepburn remarked "It appears that any effort to win a riding so biased religiously would be futile and useless. Fortunately for us, the same bitterness toward the people of the Catholic faith does not exist in this part of the province." See Hepburn to Mr. G.W. Jones, December 16, 1936, Hepburn Papers, RG - 3 - 10, Box 251, OA. Hepburn also pledged "...the people of Ontario, Protestant and Catholic alike, will be able to pass judgment on the effect of this legislation over the coming year." See *The Globe and Mail*, December 10, 1936. He assured a faithful supporter "I appreciate your interest in the East Hastings by-election and can assure you

Despite Martin Quinn's contention that Ontario was possessed of "fair-minded Protestants," East Hastings had, for the time being, proven otherwise. Following the by-election the Liberals were immediately under pressure to free themselves from the school tax amendments and the Catholic albatross they allegedly served. The federal M.P. for Trenton, W.A. Fraser, tried to assuage Hepburn the day after voting, insisting "...you cannot buck a religious issue and you cannot depend on the Catholic vote. Not all Catholics are for separate schools...and there is a strong feeling that their teachers are underpaid."¹³¹ The legislature's unanimous decision to repeal on March 24, 1937, restored both *The Separate Schools Act* and *The Assessment Act* to their original provisions. Catholics were once again left without any claim to corporate assessments for the support of their schools. In making his repeal speech, Hepburn casually blamed the law's failure on faulty drafting and the "extraordinary financial structure of the present time." He directed public attention back to East Hastings, where the Conservatives had "threatened bloodshed over the issue" and, in his opinion, "intimidated the small Catholic minority so much that they were afraid to vote."¹³² Singling out the efforts of Rev. Shields in stirring feelings of sectarian

that the result there expressed by no means the sentiments of the election in other parts of the province." See Hepburn to Mr. R.B. Hynd, December 12, 1936, Hepburn Papers, RG - 3 - 10, Box 251, OA.

¹³¹ Fraser to Elmhirst, December 10, 1936 and Fraser to Hepburn, November 12, 1936, Hepburn Papers, RG - 3 - 10, Box 251, OA.

¹³² "Transcript, Hepburn Speech, Repeal of the Separate School Amendment," March 24, 1937, Hepburn Papers, RG - 3 - 12, Box 371, OA. See also *The Globe and Mail*, March 25, 1937. Perceptions as to what happened at East Hastings were varied. Archbishop O'Brien of Kingston, in whose jurisdiction East Hastings was located, remarked: "... this game of blaming Catholics is done at every election and by both or either side...I never knew such unanimity on the part of the Catholic people, spurred on as they were by the cause they had at hand and by

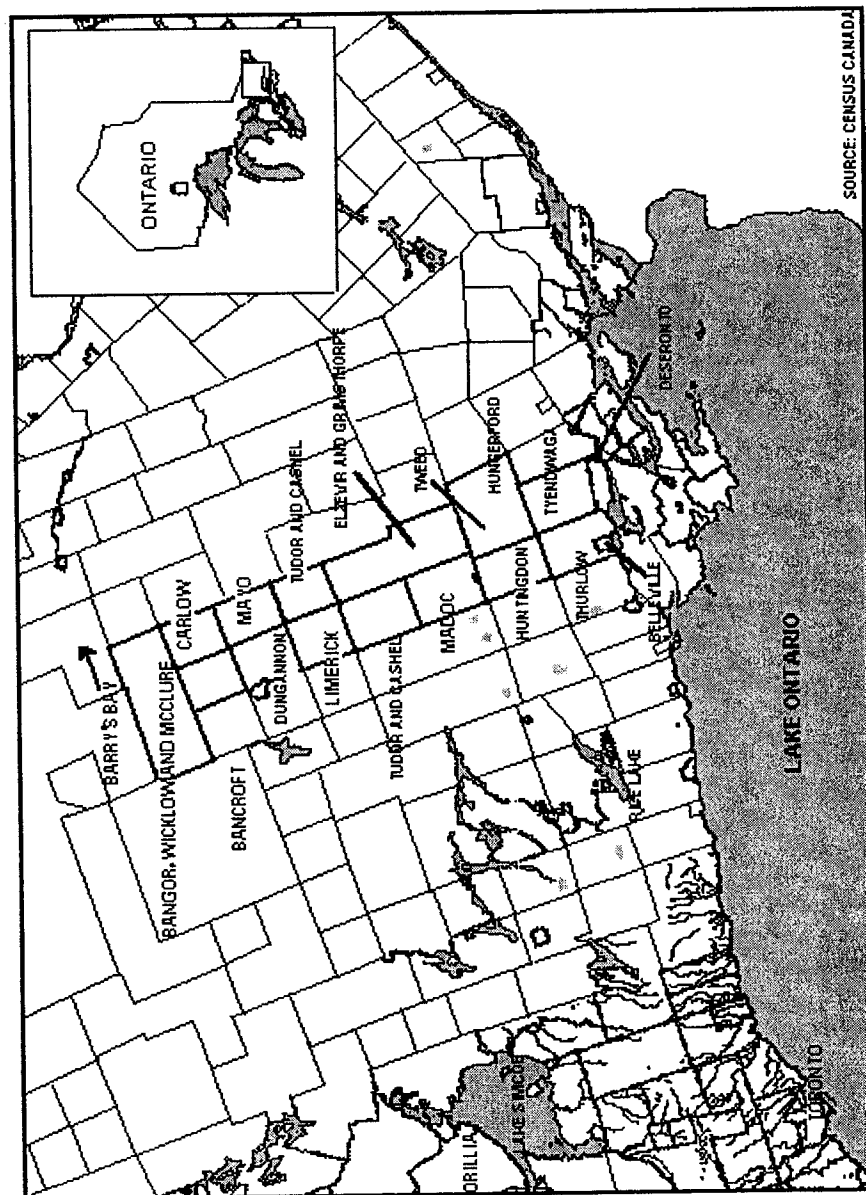
bigotry, Hepburn ominously predicted that the campaign had opened "religious and social sores which will not heal in the lifetime of this country."¹³³

The bishops, seeing the Protestant backlash as being provoked by the politically charged work of the CTA, now desired a rapprochement. Frustrated with what they saw as Quinn's own brand of Catholic dictatorship, they assumed control of their lay-experiment. In the months that followed, the school tax question would be conciliated once more into a lost cause, as the bishops returned to their traditional method of back-room negotiations. Lacking any commitment to revisit the idea of a legislative solution, and the hierarchy no longer pressing for one, Hepburn's next provincial campaign would be unencumbered by sectarian tension. While a second majority government in the 1937 provincial election validated Mitchell Hepburn's ability to renew his political career, the movement for Catholic Action in education had proven, ultimately, to be the sole victim at East Hastings.

the black, bigoted appeals against the Church." See O'Brien to Brennan, March 16, 1937, Archbishop O'Brien Papers, File "1937 - A, B," AAK.

¹³³ *The Globe and Mail*, March 26, 1937.

Riding of East Hastings - Geographical Area



Liberal Campaign Team

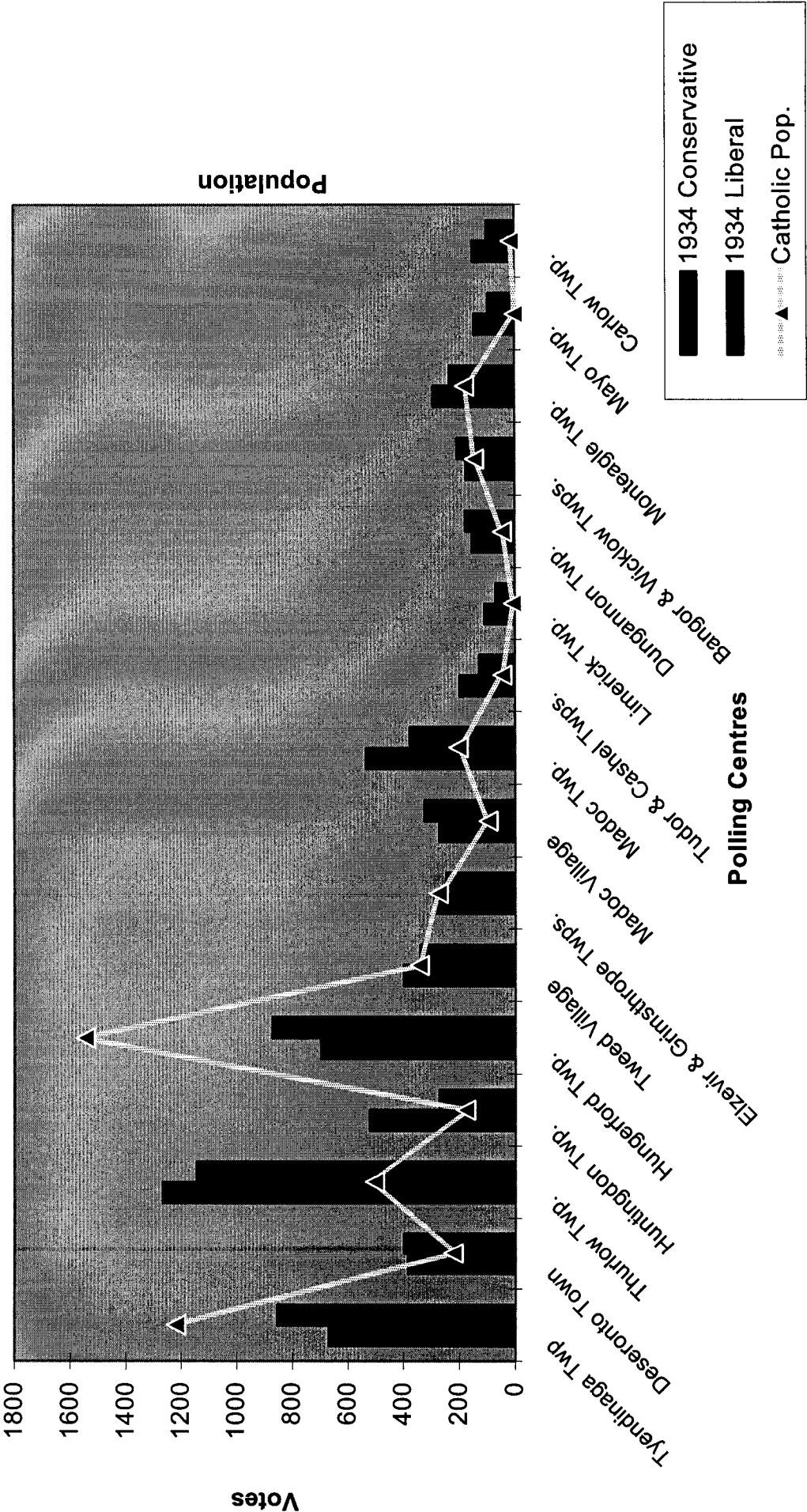
East Hastings By-Election 1936

| Member of Provincial Parliament | Constituency |
|---------------------------------|--------------------|
| Dr. James A. Faulkner | Hastings West |
| Duncan Marshall | Peel |
| Harry C. Nixon | Brant |
| Leonard J. Simpson | Simcoe Centre |
| Dr. Milton T. Armstrong | Parry Sound |
| Morgan Baker | York North |
| Fergus B. Brownridge | Stormont |
| Douglas M. Campbell | Kent East |
| Harold N. Carr | Northumberland |
| James M. Clark | Windsor Sandwich |
| Richard S. Colter | Haldimand-Norfolk |
| William A. Dickson | Perth |
| John W. Freeborn | Middlesex North |
| George T. Fulford | Leeds |
| William J. Gardhouse | York West |
| William A. Guthrie | Lambton West |
| William L. Houck | Niagara Falls |
| Harold J. Kirby | Eglinton - Toronto |
| Thomas P. Murray | Renfrew South |
| Milton D. McVicar | Lambton East |
| William Newman | Victoria |
| Farquhar R. Oliver | Grey South |
| Roland Patterson | Grey North |
| Dr. Wilfred D. Smith | Dufferin Simcoe |

Source: "List of the Members Who Assisted in the East Hastings By-Election," undated, Hepburn Papers, RG-3-12, Box 352, OA.

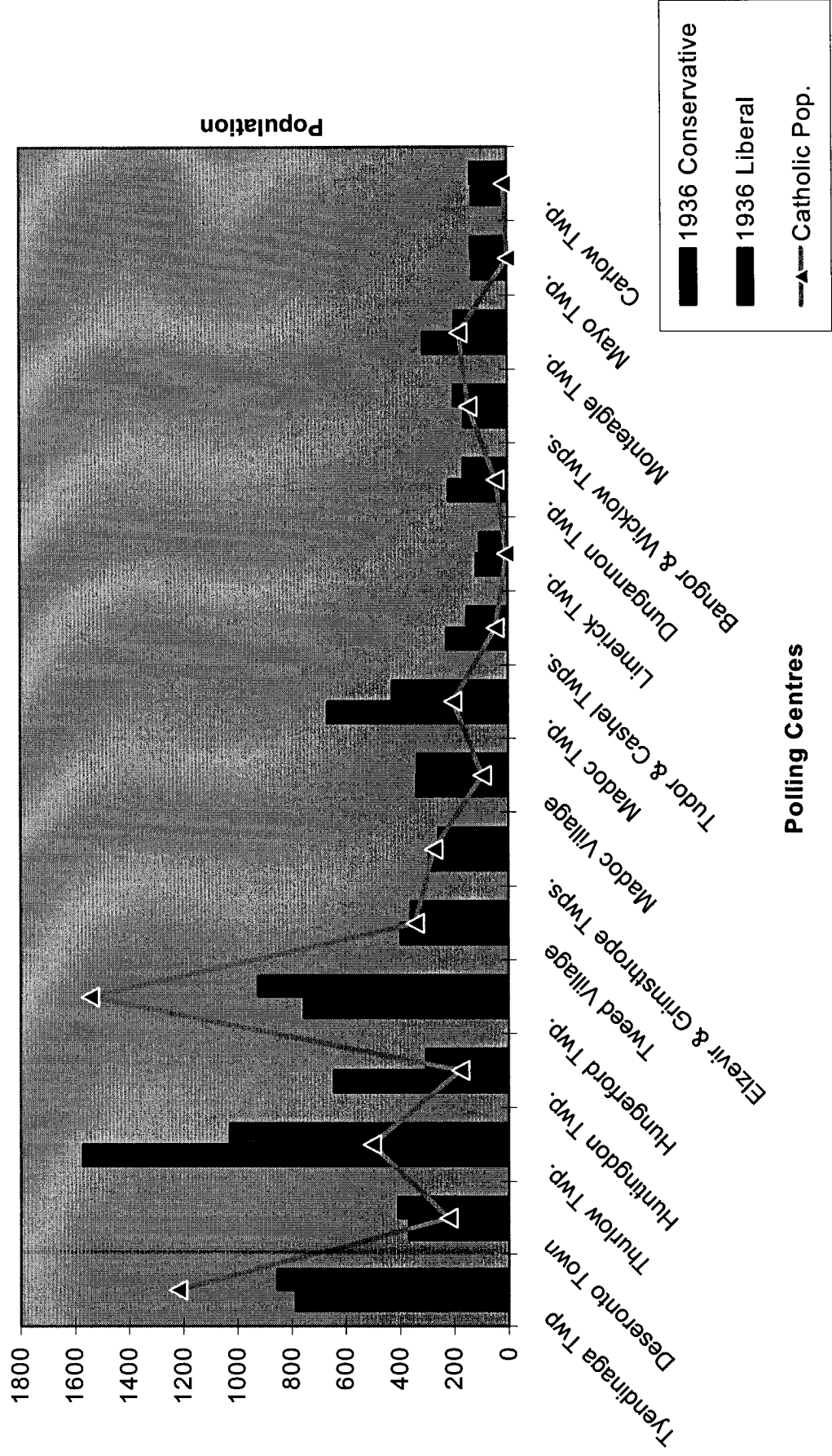
Source: "Hastings East Gen. Election Statistics 1934" and "Statistics Pertaining to Roman Catholic Vote" Hepburn Papers RG3-12, Box 352 OA.

Graph 5.1
1934 Provincial Election
Riding of East Hastings



Source: "Hastings East Gen.
 Election Statistics 1936" and
 "Statistics Pertaining to Roman
 Catholic Vote" Hepburn Papers RG3:

Graph 5.2
1936 Ontario By-Election
Riding of East Hastings



THE QUINTS AT QUEEN'S PARK



DR. O'CONNOR "NOT ONE OF THEM WOULD HAVE SURVIVED IF IT HADN'T BEEN FOR ME!"

Chapter Six

“When the Cross is Removed From the Landscape...”

The End of Catholic Action in Education

Publicly derided in the East Hastings campaign, Catholics had, in reality, abandoned hope that anything useful could be salvaged from the school tax amendments. More than not providing the Quebec plan, they were possessed of severe defects, which Quinn had been quick to identify as the result of "faulty draftsmanship."¹ Many of the province's separate school boards were now receiving less tax support than before.² No provision existed to cover policyholders of life insurance companies, nor were taxes made available on stock registered in the name of a broker or a bank.³ Non-property holders,

¹ The Canadian Bar Association reported at its annual meeting in Halifax in 1936 that the amendment to *The Assessment Act* "...has given rise to such violent differences of opinion that the committee in this respect must keep carefully away from any such contexts." See "Report of the Committees on Noteworthy Changes in the Statute Law, 1936 and International Law," From the 21st Annual Meeting of the Canadian Bar Association, Halifax, August 19-21, 1936, Hepburn Papers, RG - 3 - 10, Box 253, OA. See also Quinn to Hepburn, August 7, 1936, Cardinal McGuigan Papers, MGSO20.72 (b), ARCAT.

² *An Act to Amend The Assessment Act*, Ontario (1936), 1 Edward VIII. The Canadian Bar Association reported at its annual meeting in Halifax in 1936 that the amendments to the *Assessment Act* "...has given rise to such violent differences of opinion that the committee in this respect must keep carefully away from any such contexts." See "Report of the Committees on Noteworthy Changes in the Statute Law, 1936 and International Law," From the 21st Annual Meeting of the Canadian Bar Association, Halifax, August 19-21, 1936, Hepburn Papers, RG - 3 - 10, Box 253, OA. See also Quinn to Hepburn, August 7, 1936, Cardinal McGuigan Papers, MGSO20.72 (b), ARCAT.

³ The federal M.P. from Trenton, W.A. Fraser, inquired as to whether Hepburn would publish an explanatory pamphlet on the Act, indicating "...in my opinion it is extremely vital that an educational campaign be carried on in order that the people in general will be conversant with the separate school situation." Elmhirst replied that this was only a rumour started by the mail and Empire and that nothing definite had yet been established. Interestingly though, Elmhirst did notify A.J. Snider of Aultsville that such an information pamphlet was being written and that he would

including extended family, members of religious communities and those residing out of province were also not included in the amendments.⁴ Separate schools were cut off from the taxes of corporate subsidiaries, the parent or holding companies for which could then direct their taxes by default to the public schools.⁵ Corporations with share capital were required to register separate school assessments on the basis of notices of "Roman Catholic Status" filed annually. Where such corporations had the potential for worldwide distribution of shares, a "relative assessment" was to provide the basis. No provision existed, however, to enforce companies to make proper returns on the religious affiliations of their stockholders. Despite an aggressive CTA campaign to encourage Catholics to complete the necessary declarations, returns were weak across the province by the end of 1936.⁶

As usual, Quinn had taken the lead in trying to make the amendments workable days after their passage, informing the new Archbishop of Toronto, James McGuigan, "prompt action" would be required if Catholics were to gain

send copies to him when it was completed. See Elmhirst to A.J. Snider, July 29, 1936, Fraser to Elmhirst, July 31, 1936 and Elmhirst to Fraser, August 5, 1936. All citations in Hepburn Papers, RG - 3 - 10, Box 253, OA.

⁴ *An Act to Amend The Assessment Act*, Ontario (1936), 1 Edward VIII.

⁵ Quinn, "Memorandum Re: Failure of the Hepburn School Legislation," undated, Cardinal McGuigan Papers, MGSO20.94 (b), ARCAT. See also *An Act to Amend The Assessment Act*, Ontario (1936), 1 Edward VIII.

⁶ With Quinn away in Australia, the CTA continued to send out reminders to the parishes in response to concerns raised at the November 22 general meeting that Catholics were not responding in adequate numbers for the law to work in their favour. See Kidd to Quinn, August 1, 1936, Bishop Kidd Papers, JTK - 14/HF 5 CTA/FF1/L37, DLA. See also Ryan to Parish Priests, December 8, 1936, and Landriau to McGuigan, December, 1936, Cardinal McGuigan Papers, MGSO20.79 and .80, ARCAT.

their maximum benefit.⁷ The local parish associations were re-activated, as were the study groups, and new propaganda encouraged stockholding Catholics to file the necessary statutory notices of their religion with the corporations.⁸ The TSSB also cooperated, incurring costs to reproduce copies of the notices for the parishes.

The responses, scheduled for August 1 in the first year, were disappointing.⁹ In a memo to the heads of the urban separate school boards, Board Secretary E.F. Henderson estimated that 75% of the city's 5,000 corporate assessments would have to be appealed in order for it to remain solvent.¹⁰

⁷ Quinn to McGuigan, April 11, 1936, Cardinal McGuigan Papers, MGSO20.51 (a), ARCAT.

⁸ Quinn to Parish Priests, May 12, 1936, Cardinal McGuigan Papers, MGSO20.54 (a), ARCAT. Periodic letters from local bishops and separate school boards were also encouraged by the CTA as a way to ensure that Catholics remained vigilant in the matter of directing their taxes. See Kidd to Parish Priests, June 1, July 8, December 11, 1936 and February 8, 1937, Bishop Kidd Papers, JTK – 14/HF 5 CTA/FF1/L20, L29, L47 and L49, DLA. See also Hamilton Separate School Board to "Rev. Fathers," December 5, 1936, Bishop McNally Papers, File "Catholic Taxpayer's Association," DHA and Quinn to McGuigan, June 1, 1936, Cardinal McGuigan Papers, MGSO20.51 (b), ARCAT. Quinn also stressed the importance of the study groups "...as a means of combating the bitter and insidious attack now being waged, not only against our schools, but against Catholic institutions generally." See Quinn to Parish Chairmen, July 23, 1936, and Quinn to Henderson, May 18, 1936, Cardinal McGuigan Papers, MGSO20.70 (b) and .56, ARCAT.

⁹ With Quinn away in Australia, the CTA continued to send out reminders to the parishes in response to concerns raised at the November 22 general meeting that Catholics were not responding in adequate numbers for the law to work in their favour. See Kidd to Quinn, August 1, 1936, Bishop Kidd Papers, JTK – 14/HF 5 CTA/FF1/L37, DLA. See also Ryan to Parish Priests, December 8, 1936, and Landriau to McGuigan, December, 1936, Cardinal McGuigan Papers, MGSO20.79 and .80, ARCAT.

¹⁰ The Act read "Any person entitled under this Act to appeal in respect to any matter of assessment may appeal from the assessment of a corporation, on the ground that the said assessment is not in accordance with the notice given by the corporation under section 33a or 33b or, whether or not notice has been given by the corporation, on the ground that the said assessment is contrary to section 33a or 33b, whichever may be applicable, or that the notice is not in accordance with the facts." See *An Act to Amend The Assessment Act*, Ontario (1936), 1 Edward VIII. By the fall of 1936, Henderson estimated that in Toronto roughly 1/3 had filed notice under section 33a or 33b before August 1, roughly 1/3 had filed notice since, and 1/3 had not filed

Abandoning a plan that would enlist the support of the other separate boards in a province-wide legal action, the TSSB funded its own litigation in the fall of 1936.¹¹ "Dillon v. Catelli Food Products et. al." was brought by John Dillon, a ratepayer, on behalf of the TSSB, and included complaints against Loblaw's Groceries Limited, The Canadian Bank of Commerce and Maple Leaf Gardens Ltd.¹² While the county court initially found in favour of the separate schools on the contentious matter of "relative assessments" for widely held corporations, a month following the by-election, Justice J.A. Riddell of the Ontario Court of Appeal reversed the decision, stating:

...remedial as it is, the statute is also confiscatory. It takes away from the public school system certain monies which theretofore that system received. There is no reason why the statute should be read in any different way from any other statute. The modern principle is to credit the legislators with knowing what they intend to enact into law; and with a knowledge of the English language which enabled them to express their meaning.¹³

at all. Of those that did file, he notes that large numbers were improperly filed. See Henderson to Urban School Boards, August 28, 1936, Cardinal McGuigan Papers, MGSO20.74, ARCAT.

¹¹ Called by the TSSB, Henderson convened a closed-door session at the Newman Club at the University of Toronto on September 21, 1936. He outlined a proposal for the boards to jointly sponsor a test case to be appealed to the Supreme Court of Ontario. Referring to the joint board recommendations as too "cautious," the TSSB made the decision to proceed with legal appeals on its own. The meeting of the urban boards resolved that that the TSSB and CTA should work together to assemble legal opinions regarding (i) whether appeals should be made to the Supreme Court of Canada and (ii) if not, "what revisions are suggested to clarify the Act and what steps are necessary to put them into effect." See "Minutes of the Meeting of the Urban School Boards for Ontario," E.F. Henderson Secretary, September 21, 1936. See also Henderson to Urban School Boards, September 11, 1936, "Minutes of the Meeting of the Urban School Boards for Ontario," E.F. Henderson Secretary, September 21, 1936, and J.G. Kelly to Urban School Boards, October 16, 1936. All citations in Cardinal McGuigan Papers, MGSO20.74, .76 (a) and .78, ARCAT.

¹² John Dillon was also the Assessment Revisor for the Toronto Separate School Board. See "Report of the Assessment Revisor, Toronto Separate School Board, 1932," CTAP, Series 46, File 6, MSSBA.

Further complicating matters, the litigation had created considerable tension between the CTA and the TSSB, with A.L. Landriau accusing them of “...undermining the work which this Association has carried on for the past six years.”¹⁴

Lessened assessments were being experienced across the province early in 1937. A *Hamilton Spectator* report showed that the separate board there lost some \$388,006 in revenues from the previous fiscal year.¹⁵ Referring to the situation in the Diocese of London, where corporate assessments had dwindled to \$24,000 for Windsor and \$3,400 for London, Bishop Kidd pleaded for the repeal of the amendments.¹⁶ Similar decreases across the province prompted local CTA affiliates to inquire as to how the amendments had been assembled. Liberal Member William Guthrie of Sarnia, told C.J. Driscoll that their present form was not the original presented to caucus, leading him to believe that special interest groups had held sway, and that the Catholic Members had been satisfied with the final product.¹⁷ Suspecting that Catholics had been let down by their own representatives in caucus, Quinn recalled with Forbes that in their rushed

¹³ Ontario Court of Appeal, *Dillon v. Catelli Food Products et. al.*, Justice J.A. Riddell, January 11, 1937, 1 D.L.R. [1937].

¹⁴ Landriau to Kidd, December 8, 1936, Bishop Kidd Papers, JTK – 14/HF 5 CTA/FF1/L44, DLA. According to McNeil's original plan, the CTA was to work cooperatively with the TSSB, sharing office space at 77 Jarvis Street in Toronto. Unable to work out an understanding, he arranged for the CTA to establish permanent headquarters in the Catholic Office Building at 67 Bond Street. See Quinn to McGuigan, December 19, 1935, Cardinal McGuigan Papers, MGS020.40 (b), ARCAT.

¹⁵ *The Hamilton Spectator*, February 2, 1937.

¹⁶ Kidd to Quinn, February 22, 1937, Bishop Kidd Papers, JTK – 14/HF 6 CTA/FF1/L13, DLA.

formulation in the dying weeks of the legislature the CTA did not see a draft copy of the amendments in advance. With Peter Heenan directing affairs in cabinet, M.P.P.'s Paul Leduc and Aurelien Belanger had been responsible for conveying the CTA's wishes to the government.¹⁸

The promise of higher taxes for their children's schools engendered some predictable responses from Ontario Catholics already mired in some of the worst years of the Great Depression. Writing to McGuigan in Toronto, Dorothy Hatton was caught between the moral imperatives of her faith, and her ability to provide for the needs of a young family. A young widow with three children under the age of five, she declared the cost to send her children to the separate schools was more than could be afforded on the \$15 a week she received from her husband's death benefits:

I endeavour every way possible to make ends meet and raise my children in the fear and love of God. I am essentially a Catholic, but at the same time I am an intelligent woman, and am not to be intimidated by threats of excommunication from Father O'Connor of St. John's Church, Kingston Road. I am afraid the heavy debt there has eclipsed his vision. The question under consideration is: Where am I to send my little girl to school next fall? I am quite anxious to send her to the separate school, but at the same time am not prepared to pay the extra taxes. Please enlighten me, as this worries me, although I am still permitted to receive weekly communion.¹⁹

¹⁷ Driscoll to Quinn, March 14, 1937, Cardinal McGuigan Papers, MGSO20.103 (b), ARCAT.

¹⁸ Quinn to Forbes, February 6, 1937, CTAP, File 12, Series 46, MSSBA. See also Quinn to Forbes, April 22, 1936, Archbishop Forbes Papers, File "Catholic Taxpayer's Association," MG 22, AOA.

¹⁹ Dorothy F. Hatton to McGuigan, July, 1936, Cardinal McGuigan Papers, MG SO20.62 (a), ARCAT.

Explaining to Archbishop O'Brien in Kingston that the higher taxes had been a factor, along with the promise of stronger extra curricular programs, in his decision to enroll his son at the Belleville Vocational School, E.J. Pritchard was sternly rebuked by the prelate. Citing Canons 1374 and 1379, O'Brien demanded that Pritchard not "challenge the law of God's Church," clarifying that "the children get what is a thousand time more valuable [than extra-curricular activities] in daily instruction in the Catholic faith."²⁰

Alarmed by the failure of the school tax amendments and the resurgence of sectarian rivalry at East Hastings, the hierarchy had by now completely lost faith in Martin Quinn's aggressive, politically charged brand of Catholic Action. As well, a schism had erupted within the movement. Franco-Ontarians, represented by the French Canadian Educational Association, were now demanding a separate voice in the government negotiations. Encouraged by a cabal of General Committee members from the Diocese of London, the bishops pursued a new direction, in the belief that bipartisan co-operation might achieve their ultimate objective. Determined to allow the faithful to "vote as they see fit" in 1937, they would postpone further discussion of the school tax question for "a more propitious time."²¹ Steadfast in his view that Protestants would tolerate no more talk of "concessions" and that Catholics would still see him as courageous, things could not have developed better for Mitchell Hepburn. Coasting to his

²⁰ O'Brien to E.J. Pritchard, September 11, 1936, Archbishop O'Brien Papers, File "1936 - N,O,P," AKA.

²¹ McGuigan, Personal Memo, undated, 1937, Cardinal McGuigan Papers, MGSO20.132 (a), ARCAT.

second straight majority government, Hepburn never again returned to serious reconsideration of *The Separate School Act*. For Quinn, and those who understood that in Ontario "Catholics are Counted But Don't Count," the campaign for fair allocation of corporation taxes had been dealt a fatal blow.²² Forced from the chairmanship of the movement he had nurtured into the greatest lay agitation in Ontario's history, his last charge was against the new, ecclesiastically dominated version of the CTA. Prophesying "so long as politicians think it is safe to regard the Catholics of Ontario as the sons of the bondswoman, without any rights in their father's house, so will our chances of success grow gradually less," Quinn clearly foresaw the future of Catholic Action in education.²³

Far surpassing the work of previous laymen in the province, Martin Quinn had enjoyed an extended courtship with the Ontario bishops. The death of Neil McNeil in 1934 had done little to de-stabilize his near autonomous control of the CTA, and his perceived success in the provincial election allowed him to remain unencumbered by ecclesiastical interference. Rather, Quinn had been both courted and encouraged. Archbishop O'Brien was particularly insistent in this regard. He had purchased "Air-Clean" humidifiers from Quinn's National

²² In the introduction to the booklet that would come to be synonymous with his break from the CTA, Quinn referred to the comments of a Protestant writer discussing the Catholic position in the school tax question: "He remarked upon the absence of political alertness among them [Catholics] and their apparent docility in the face of, at times, outrageous political treatment, and, after pointing out the immense advantage to any party of their votes, he summed up with the conclusion that "Catholics are counted but they don't count." See Martin J. Quinn, "Catholics are Counted But They Don't Count," July 15, 1938.

²³ Quinn to Kidd, May 19, 1939, CTAP, File 16, Series 46, MSSBA.

Equipment Company for the Archdiocese of Kingston in 1933.²⁴ Through the influence of Frank O'Connor, O'Brien arranged to have the company's name placed on the preferred purchasing list for plumbing supplies and air exchange systems to the province's hospitals, asylums and public works buildings in 1934.²⁵ Declaring "there is no honour too great for him because of his wonderful advocacy of our schools," Bishop Kidd went even further, suggesting Quinn's name be put forward in 1935 by the hierarchy as their candidate to replace Charles Murphy, who was retiring from the Canadian Senate.²⁶ However with Hepburn's subsequent procrastination in the school tax matter, and the bishops missing McNeil's steady and assuring presence, they began to grow impatient. In the opinion of at least one prelate, Bishop Denis O'Connor of Peterborough, Quinn's usefulness had already been spent, his lack of political dexterity having made of him a "finished diplomat."²⁷

While the Ontario hierarchy understood that the papal call to Catholic Action, especially as restated in *Quadragesimo Anno*, was tempered by the need for the laity to submit directly to their supervision, actions had generally spoken louder than words. Quinn's willingness to expose his fight with the

²⁴ Quinn to O'Brien, March 15, 1933; O'Brien to Quinn, March 20, 1933, Archbishop O'Brien Papers, File "1933 – Q,R,S," AAK.

²⁵ O'Brien's friendship with O'Connor, with whom he regularly vacationed, allowed him to make the promise to Quinn that he would "find out from you what you manufacture and put your name on to every department requiring your goods." See O'Brien to Quinn, August 2, 1934; Quinn to O'Brien, August 16, 1934, and O'Brien to O'Connor, November 30, 1936, Archbishop O'Brien Papers, File "1934 – Q,R,S" and File "1936 N,O,P," AAK.

²⁶ Kidd to O'Brien, November 30, 1935, Archbishop O'Brien Papers, File "1935 – J,K,L," AAK.

Weston Company and his emphasis on the need for men with “practical experience” to publicly address the school tax question, had originally won for him Neil McNeil’s promise that “no clerical nose will be permitted to intrude itself.”²⁸ What he did not understand, however, was that the bishops were capable of being fickle in dealing with their lay leaders. Lawyer Thomas Battle had been similarly entrusted with the school tax question in the 1920s. Along with I.F Hellmuth, he represented the separate school position in *The Tiny Township Case*. Rising to Secretary of the Catholic Educational Council the following year, Battle was the logical selection to chair the English Section of the CTA's predecessor, the Separate Schools Assessment Amendment Committee, in 1929. Its failure in 1931 left Battle seeking compensation for some unfinished business. Owed more than \$3,100.00 in legal fees for services carried out by his firm in the Privy Council Appeal and the creation of the SSAAC, it would take two years before the debt was resolved.²⁹ Having already negotiated the creation of the CTA with Quinn that year, the hierarchy had begun to move in a new direction.

By the summer of 1935 it was already becoming clear that Quinn would be the bishops' next forgotten man. Slowly, even cautiously at first, the hierarchy resurfaced as active participants in the campaign for new legislation. Addressing

²⁷ Bishop Denis O'Connor to O'Brien, January 26, 1935, Archbishop O'Brien Papers, File “1935 - N,O,P,” AAK.

²⁸ Quinn, *Frustration*, p. 16.

²⁹ Battle notified McNeil in November of 1931 that he was still owed \$3,170.00 by the bishops. With a series of installments that figure was reduced to \$305 by December of 1933, when the correspondence stops. See Battle to McNeil, November 6, 1931, June 7 and December 19, 1933, Catholic Education Papers, ED SOO5.05 (a), (b) and (c), ARCAT.

a gathering at the opening of a new residence building at St. Michael's College in Toronto that August, O'Brien publicly encouraged the laity to "press their case in the separate school issue."³⁰ Having quickly educated himself on the matter, Archbishop McGuigan was keen to be brought up to date on the state of the CTA's legislative negotiations.³¹ His meeting with Quinn that October, however, proved disastrous, with the chairman unwilling to provide more than cursory information. He explained that even the appearance of collusion between the bishops and the government would destroy the "political prestige" of the CTA, and jeopardize their chances of success.³² For his part, McGuigan would not be rebuked by a layman, and took the opportunity to re-establish an authoritative, ultramontane hold over the Catholic Action movement. He formally put Quinn on notice that the hierarchy was to be kept abreast of all future negotiations, and that no decisions were to be made without their full approval. Discussing the matter with Bishop Kidd later that month, McGuigan made it clear that the time had come to take control of the CTA. He would allow Quinn to "...take the first steps to procure the information which will most probably lead to a new discussion of the whole affair," noting "we could, later on, be guided by the turn of events as to later action."³³

³⁰ *London Free Press*, August 28, 1935. See also Lawrence K. Shook, csb, Catholic Post-Secondary Education in English Speaking Canada, (Toronto: University of Toronto Press, 1971), p. 79.

³¹ Archbishop O'Brien had recommended that McGuigan familiarize himself with the school tax question by talking with Martin Quinn. See O'Brien to McGuigan, May 3, 1935, Archbishop O'Brien Papers, File "1935 - Mc," AAK.

³² Quinn to O'Brien, October 25, 1935, Cardinal McGuigan Papers, MGSO20.30, ARCAT.

Quinn's fatal error had been to misread the ecclesiastical change that had taken place with James McGuigan's appointment to the See of Toronto on December 22, 1934. An accomplished administrator, McGuigan had been Canada's youngest prelate when he was made Archbishop of Regina on January 31, 1930. Turning his attention to fiscal matters in both of these high profile positions, he managed to substantially reduce large diocesan debts during some of the leanest years of the Great Depression.³⁴ His administrative skills did not go unnoticed, and McGuigan's elevation to the College of Cardinals by Pope Pius XII in 1946 made him the first such representative from English Canada. Particularly skeptical of the modernist call for Catholic doctrine to come into line with contemporary theological, historical, philosophical and scientific thought, he was a staunch defender of the hierarchy's need to keep order and maintain orthodoxy. He had written his canon law dissertation in defense of Ecclesiastical Synods. Covering the early Church through to the Council of Trent, he concluded

Human nature tends to weaken laws which bind, restrain or restrict. Hence, unless even the ordinary points on disciplinary matters are continually called to mind by the competent authority and, so to speak, promulgated anew, negligence creeps in, the true meaning of the law is extended and general discipline is weakened.³⁵

³³ McGuigan to Kidd, copied to Ontario Hierarchy, October 25, 1935, Cardinal McGuigan Papers, MGSO20.31, ARCAT.

³⁴ Biographical File, James Cardinal McGuigan, Cardinal McGuigan Papers, MGAA01.01, ARCAT.

³⁵ Rev. James McGuigan, Synods in General – The Diocesan Synod in Particular, (JCD Thesis, Catholic University of America, Washington), p. 30, Cardinal McGuigan Papers, MGAA06.06, ARCAT.

In the Archdiocese of Toronto, this stern, unyielding outlook would place McGuigan in stark contrast to the powerful social conscience that had typified the twenty-two year administration of his much-beloved predecessor, Neil McNeil.

Gregory Baum's description of McNeil as understanding the need for a "more positive, more active, more concerned approach on the part of Catholics" during the 1930s underscores the central difference between the two men.³⁶ Despite the skepticism of the Canadian Bishops to the CCF and their statement that Catholics should be "on their guard" for the false trappings of socialism, McNeil proved unrelenting in his drive to address both social and economic issues.³⁷ That fall he had negotiated the return of Henry Somerville, founder of the Catholic Socialist Society, as editor of *The Catholic Register*.³⁸ McGuigan, though, was not a *Rerum Novarum* bishop in the sense that McNeil had been. While Jeanne Beck indicates that under McGuigan's administration Somerville continued on as one of his closest social and economic advisors, the strong influence that had marked his relationship with McNeil was clearly gone. Where Catherine de Hueck's Friendship House apostolate had been both funded and encouraged by McNeil, McGuigan, while never directly opposing her work to stem the spread of communism within the city's burgeoning immigrant population, refused to fully clarify her status. He had never been completely comfortable with the free hand she had been granted by his predecessor, or with

³⁶ Gregory Baum, Catholics and Canadian Socialism, (Toronto: James Lorimer and Company, 1980), p. 122.

³⁷ *Ibid.*, p. 143.

³⁸ Beck, Gathering Place, p. 215.

her self-designated title of "Directress General." Addressing a host of complaints against de Hueck from Toronto's national churches in the summer of 1936, including the charge that she herself was a communist, McGuigan convened a committee to investigate her work, later accepting their recommendation that Friendship House be closed.³⁹ Coincidentally, this period would also see McGuigan take steps to effectively end Martin Quinn's control of the Catholic Taxpayer's Association.

The passage of Bill 138 in April of 1936 saw relations continue to deteriorate between Quinn and the hierarchy. When it was pointed out that the bishops had not formally recognized Quinn's efforts on behalf of the new legislation, McGuigan admitted that the task had been given to Bishop Dignan of Sault Ste. Marie, whom he concluded had "overlooked the matter."⁴⁰ Discussions had actually been underway since April as to how to adequately recognize Quinn. Senator Murphy had suggested a levy of one dollar per Catholic household throughout the province in acknowledgement of his great expense of time, effort and money.⁴¹ In the end, the deleterious effects of the law, which were already causing Catholics to suffer "politically, socially, in a business way and through employment and in general revenue" suspended the discussion.⁴² The decision to extend the \$1,000 honorarium to Quinn in

³⁹ Beck, Gathering Place, pp. 224-225.

⁴⁰ Landriau to McGuigan, June 23, 1936 and McGuigan to Landriau, June 25, 1936, Cardinal McGuigan Papers, MGSO20. 64 (a) and (b), ARCAT.

⁴¹ Kernahan to O'Brien, April 26, 1936 and Linda Barrett for Murphy to O'Brien, undated, summer, 1936, Archbishop O'Brien Papers, File "1936 – Mc and A, B," AAK.

celebration of his invitation to address the Catholic Educational Conference in Australia that fall was made at the last minute, and underwritten entirely by McGuigan. While he accepted the award "...as an indication that the Hierarchy of Ontario have confidence in me and are satisfied with such efforts as I have been able to make," probably nothing was further from the truth.⁴³ Along with O'Brien and Kidd, McGuigan had decided on the award as the most expedient way for the hierarchy to distance themselves from the layman who had held such promise, but whose usefulness had passed. Explaining "it is always a delicate matter to ask bishops for money," he would recoup donations from the various dioceses over the next few months.⁴⁴

By now, the bishops were plagued by other concerns. A growing French-English rift, specifically embodied in the renewed interest of the ACFEQ in the school tax question, was threatening the unified voice that Quinn had always claimed for Ontario Catholics in the matter. Outlining the parameters of the new law that May, President P.E. Roche credited the ACFEQ entirely for its passage in his information booklet, "Les Taxes Scolaires Des Corporations," making no reference at all to the work of the CTA.⁴⁵ While Franco-Ontarians had been

⁴² McGuigan to Quinn, July 3, 1936, Cardinal McGuigan Papers, MGSO20.69 (a), ARCAT.

⁴³ Quinn to McGuigan, October 1, 1936, Cardinal McGuigan Papers, MGSO20.7 (a), ARCAT.

⁴⁴ Kidd to McGuigan, September 19, 1936, McGuigan to Kidd, September 21, 1936, Cardinal McGuigan Papers, MGFA02.50 (a) and (b), and McGuigan to O'Brien, October 7, 1936, MGSO20.7(c), ARCAT. See also O'Brien to McGuigan, September 3, 1936, Archbishop O'Brien Papers, File "1936 – Mc," AAK.

⁴⁵ "Annexe XIV – Manifeste de l'Association Canadienne Francaise d'Education d'Ontario – LES TAXES SCOLAIRES DES CORPORATIONS," May 15, 1936, ACFEQ Papers, University of Ottawa, Centre de Recherche en Civilisation Canadienne-Francaise (hereafter CRCCF).

eager to greet the “appreciably more” money they, like their anglophone counterparts, had assumed would flow into separate school coffers, it was now clear that the CTA was no longer, if it had ever really been, a homogeneous movement.⁴⁶

The consolidation of the east-west divisions of the CTA’s executive into a central authority in 1932 had served to create the impression that Catholics of both major language groups were unified in their appeal for justice in the school tax question. Recalling what would become his turbulent relationship with the ACFEQ, Quinn insisted that they had declined an initial offer to attend General Committee meetings, and agreed in respect to the matter of school taxes that the CTA “spoke for every Catholic in Ontario.”⁴⁷ Archbishop Forbes had also written to McNeil that August to inform him that he had directed all of the French clergy in Ottawa to co-operate with the General Committee of the CTA.⁴⁸ Thus, as he began a speaking tour of the various dioceses that summer, Quinn had taken special care to invite J.W. Gavreau, a French member from Ottawa, to address a

⁴⁶ *Le Droit*, April 4, 1936.

⁴⁷ Quinn, *Frustration*, p. 25. See also Quinn to McNally, January 23, 1935, Bishop Kidd Papers, JTK – 14/HF 4CTA/FF1/L11, DLA. In the spring of 1931 Senator Charles Murphy cautioned him to beware the French Canadian “racialists” whose fierce promotion of “nationalistic objectives” would always place Catholic issues on the back burner. He related his experience with the French delegates to the Chicago Eucharistic Congress of 1926, accusing them of excluding every English-speaking cleric from the official program of the Congress. See Murphy to Quinn, April 28, 1931, Archbishop O’Brien Papers, File “1931 - M,” AAK. (Original letter of Quinn to Murphy – April 25, 1931) Indeed, they had been notified of but not represented at the April 10, 1932 meeting of the CTA. See Quinn to Scott, April 11, Meeting Minutes, Archbishop Forbes Papers, File “1932 CTA,” MG 22, AOA. W.L. Scott concurred with Quinn’s recollection, adding that Senator Belcourt himself had attended the first meeting of the Eastern Ontario Section of the CTA in 1932, and had declared on behalf of the ACFEQ that the CTA alone should advocate for all Catholics in the matter. See Scott to Forbes, October 25, 1935, Archbishop Forbes Papers, File “CTA 1935,” MG 22, AOA.

gathering in the Diocese of Alexandria, unaware that the Liberals were already preparing to negotiate separately with Franco-Ontarians.⁴⁹

Writing to Senator A.G. Hardy in January of 1933, Hepburn remarked that he had secured the editorial support of *Le Droit*, prior to what he perceived as an imminent election call from the Henry Conservatives.⁵⁰ Correspondence between its editor, Edmond Cloutier, and Hepburn indicates that they had talked as early as the fall of 1932. Meeting at the King Edward Hotel in Toronto, Cloutier raised a host of French-Catholic concerns as bilingual school administrations and funding for an advanced French language curriculum, as well as the thorny matter of school taxes. Following the 1934 election, Hepburn invited representatives of the ACFO to interview the Deputy Minister of Education, Duncan McArthur, who, well in advance of the same instructions that would come from Arthur Roebuck to the CTA, directed them to prepare their own legislation.⁵¹

Underestimating the determination of Franco-Ontarians not to be submerged in what clearly amounted to a movement dominated by English-Catholic interests, both Quinn and McNeil had been scheming themselves to find

⁴⁸ Forbes to McNeil, August 23, 1932, Cardinal McGuigan Papers, MGSO20.290, ARCAT.

⁴⁹ Quinn had been invited to give a public address on Sunday September 22, 1932 by Bishop Felix Couturier of Alexandria. See Quinn to Scott, August 31, 1932, Archbishop Forbes Papers, File "1931 CTA," MG 22, AOA.

⁵⁰ Quinn to Senator A.G. Hardy, January 30, 1933, Hepburn Papers, MU4908, AO. These trips included separate discussions with Cloutier and Robert Burns, editor of London's *Catholic Record*.

⁵¹ Cloutier to Hepburn, September 10, 1934, Hepburn Papers, RG - 3 - 10, Box 223, OA.

ways to use the traditional French loyalty to Mother Church to their advantage.⁵² In October of 1933, McNeil directed Henry Somerville to publish accounts of the 1864 Quebec Conference in the *Register*, highlighting French Canadian participation in the pre-Confederation debates "...in the hope that it will encourage them to go ahead in advocating our cause."⁵³ As part of an early idea to solve the school tax issue through the federal government, Quinn suggested appealing to the Apostolic Pro Nuncio in Ottawa to use his influence in coercing the Church in Quebec to publicly denounce the Bennett administration.⁵⁴ That fall, he wrote to a number of French newspapers in Quebec and Ontario, including *Le Gazette*, *Le Devoir* and *Le Droit*, informing them as to the nature of the fight for school tax reform, and paying in advance for six month subscriptions.⁵⁵ When *Le Droit* published editorials supportive of the CTA's demands in its November 8 and 9 editions, Quinn was ebullient, declaring to Edmond Cloutier:

Efforts of this kind, especially in the French tongue, carry particular significance to those in authority, who undoubtedly had hoped for a lack of co-operation between the French and English speaking Catholics, and none to a greater extent than the latter are appreciative of the support of our French compatriots, and we feel that we are building a foundation upon which to raise a future

⁵² McNeil to Quinn, March 22, 1933, Archbishop McNeil Papers, MNAE11.01, ARCAT.

⁵³ McNeil to O'Brien, October 21, 1933, Archbishop O'Brien Papers, File "1933 M-Mac," AAK.

⁵⁴ Quinn to O'Brien, September 27, 1933 and Forbes to Quinn, June 10, 1934, CTAP, Files 1 and 6, Series 46, MSSBA. In a letter to Forbes, Quinn tried to go this route again on the verge of the 1934 provincial election by encouraging the moral support of Quebec in this cause. See Quinn to Kidd, June 22, 1934, CTAP, File 6, Series 46, MSSBA.

⁵⁵ Quinn to McNeil, September 29, 1933 and Quinn to Scott, October 14, 1933, CTAP, File 4, Series 46, MSSBA.

structure of mutual confidence that will mean much for the Catholic citizens of this country of every race and language in the future.⁵⁶

Unwittingly, Quinn had allowed his better judgment to be tainted by his enthusiasm for political reform. The following June, Cloutier wrote to Forbes, outlining that the CTA did not speak for the ACFEO, and heightening tensions within the hierarchy that a public split with the CTA might occur prior to the provincial election.⁵⁷ While the appearance of a united Catholic front was maintained during the course of the campaign, contrary to Franklin Walker's assertion that the fall of 1934 represented a "lull in the separate school agitation," the full rift between French and English Catholics was about to blow wide open.⁵⁸

With the ACFEO annual general meeting scheduled for October 22-24 in Ottawa, it did not take long for word of their separate educational negotiations to reach Toronto. Quinn made plans to attend the meeting, supported by bilingual clergy from the Diocese of London.⁵⁹ To head off an open conflict, the lone representative of the Ontario hierarchy, Bishop Couturier, called a meeting for the Chateau Laurier on the evening of October 23. The result was a formal agreement signed by Quinn and representatives of the ACFEO, whereby the CTA would remain the chief negotiating body with the provincial government, and

⁵⁶ Quinn to Cloutier, November 16, 1933, Archbishop Forbes Papers, File "1933 CTA," MG 22, AOA.

⁵⁷ Cloutier to Forbes, June 2, 1934, Archbishop Forbes Papers, File "CTA," MG 22, AOA. See also Forbes to Kidd, June 7, 1934, Bishop McNally Papers, File "Catholic Taxpayer's Association," DHA.

⁵⁸ Walker, Catholic Education and Politics, vol. II, p. 415.

⁵⁹ Kidd to Quinn, September 27, 1934, Bishop Kidd Papers, JTK – 14/HF 3CTA/FF1/L29, DLA.

the French contingent agreeing to consider "...the advisability of being permanently represented on the Board of the CTA of Ontario."⁶⁰ Relations between the two organizations, however, continued to disintegrate in the weeks and days leading to the meeting with Hepburn. Writing to Quinn on January 7, Arthur Joyal, Director of the Secretary's office of the ACFEO, requested detailed information on the legislative brief and the exact nature of the Association's representation on the panel that would see the premier.⁶¹ Quinn refused the request, informing Joyal that only one French representative would be permitted, and insisting "Our delegation must represent no divided interest but will speak only for this Association representing all Ontario Catholics regardless entirely of any considerations beyond the single issue involved."⁶²

For Quinn, the meeting with Hepburn proved to be an enormous disappointment. The French representative never appeared at Queen's Park, and he later recalled to Forbes that in a finely staged example of political theatre, the premier questioned the representative nature of the delegation in regard to French Catholics.⁶³ Liberal cabinet minister Paul Leduc's comment to Quinn

⁶⁰ Resolution – CTA and ACFEO, October 23, 1934, signed by Quinn, Plouffe, Desormeaux, Cloutier, Couturier and Joyal, Hepburn Papers, RG - 3 – 10, Box 224, AO. See also Memo from E.C. Desormeaux, Edmond Cloutier, J.A. Laberge, Felix Couturier, Archbishop of Alexandria and Arthur Joyal, OMI to Archbishop Forbes, including "Agreement Between the CTA and the ACFEO," signed by Martin J. Quinn and J.A.S. Plouff, ACFEO Papers, CRCCF.

⁶¹ Joyal to Quinn, January 7, 1935, Bishop Kidd Papers, JTK – 14, HF 4 CTA/FF1/L1, DLA.

⁶² Quinn to Joyal, January 15, 1935, Joyal to Quinn, January 18, 1935, Quinn to Joyal, January 18, 1935, Joyal to Quinn, January 18, 1935 and Quinn to Joyal, January 19, 1935, Bishop Kidd Papers, JTK – 14/HF 4 CTA/FF1/L3, L5, L6, L7 and L8, DLA.

⁶³ Quinn to Forbes, January 24, 1935, CTAP, File 14, Series 46, MSSBA. Op. cit., Quinn, "Catholics Are Counted", p. 11,

following the meeting that, "I could have been of considerable assistance to you in there only you have not been fair to the French people" was telling of what had really happened behind the scenes.⁶⁴ A well-known Catholic lawyer from eastern Ontario, Leduc had deep connections to the ACFEO. He was the son-in-law of patriarch Napoleon Belcourt, and had advised Hepburn of French concerns in the separate school question long before his election to the legislature.⁶⁵ The Archdiocesan Administrator for Toronto, Rev. Francis Carroll, decrying this lack of Catholic unity, also indicated Leduc as the likely culprit, remarking to the Apostolic Delegate to Canada that his inveigling may have destroyed "...our last opportunity for many years to solve the school tax question."⁶⁶

Further promises and attempts to heal the rift between English and French Catholics proved equally unsatisfactory. Writing on behalf of both Cloutier and Joyal, Forbes insisted the government would be informed "...that all Catholics both French and English speaking are one in their reclamation" and that he "...never doubted of the best intentions of the Executive of the Association of Education."⁶⁷ The presentation of a separate ACFEO legislative brief to Hepburn

⁶⁴ Quinn, "Catholics Are Counted," p. 11. Op. cit., Quinn to Forbes, October 21, 1935, CTAP, File 14, Series 46, MSSBA.

⁶⁵ While the matter was still being presented to the Henry Conservatives, Leduc had provided Hepburn with an overview to the school tax question in 1933, stating "...I deemed it my duty to call to your attention to it because I believe this question of school taxes will play a very important part in all the constituencies where there is a large Roman Catholic vote." See Leduc to Hepburn, January 16, 1933, Hepburn Papers, MU4924, AO.

⁶⁶ Carroll to Most Rev. Antonio Cassulo, January 26, 1935, Archbishop McNeil Papers, MNAE11.16 (b), ARCAT.

⁶⁷ Forbes to O'Brien, January 21, 1935, Bishop Kidd Papers, JTK – 14/HF 4CTA/FF1/L9, DLA. Forbes then called a meeting for his place between Quinn and representatives of the ACFEO on January 27, where the missing delegate was explained as due to the death of a high-

on February 28, 1935, terminated this latest understanding. Essentially a re-statement of the arguments already made in the two previous CTA briefs, the application went further in presenting the ACFEO as a separate and equal partner in the drive for school tax reform.⁶⁸ Emphasizing the heterogeneous nature of Ontario's Catholic population, it served to shatter Quinn's basic argument that all Catholics, regardless of national origin, were woven into the fabric of the CTA.⁶⁹ Accusing the ACFEO of undermining his work, Quinn concluded "based upon my experience during the last couple of years, if I had to

ranking executive from the Association, a Mr. Legault of North Bay. See Forbes to Quinn, January 27, 1935, Forbes to Carroll, January 27, 1935 and Carroll to O'Brien, January 27, 1935, Archbishop McNeil Papers, MNAE11.18, .19, .17, ARCAT. Later that fall Forbes repeated this to Quinn: "I am glad to express to you the entire confidence of the Catholic laity and of all the clergy of my Archdiocese and my own absolute confidence in you as the representative of all of us in applying as chairman of the CTA of Ontario for legislative amendment." See Forbes to Quinn, October 18, 1935, CTAP, File 14, Series 46, MSSBA. For Quinn however the appeal was clearly too little too late, and time had shown that Forbes had little to no control over the affairs of the ACFEO, who also operated freely of direct ecclesiastical supervision. Following the consolidation of the east-west section of the CTA in 1932 it had taken Forbes until July of that year to procure the return of funds collected by them on behalf of the CTA parish campaign. See Quinn to Forbes, May 6, 1932, Scott to Forbes, July 22, 1932, Forbes to Scott, August 2, 1932, Forbes to Scott, July 13, 1934 and Scott to Forbes Oct 17, 1934, Archbishop Forbes Papers, File "CTA," MG 22, AOA.

⁶⁸ Dr. P.E. Roche, President, ACFEO, to Hepburn, February 28, 1935, Hepburn Papers, RG 3-11, Box 233, OA.

⁶⁹ Highlighted here was the total Catholic population of 744,740 people, inclusive of 266,460 French, 177,009 Irish, 63,976 English, 47,143 Italian, 37,827 Polish, 31,990 German, 31,203 Scottish and 19,120 Ukrainian. See "Application of L'Association Canadienne-Francaise D'Education D'Ontario for Legislative Amendment of the Existing Laws Relative to School Taxes," February 28, 1935, ACFEO Papers, CRCCF. Quinn was especially surprised to find church representation among their numbers, as Arthur Joyal, one of the lead signatories of their legislative application to Hepburn and a representative at the Chateau Laurier conference held the previous October, was designated here as an Oblate priest. As he had always presented himself as a layman, this caused Quinn to further speculate that Joyal had infiltrated local Ottawa CTA meetings in order to report directly to the ACFEO. See Quinn to Scott, undated, 1935, Archbishop Forbes Papers, File "1935 CTA", MG 22, AOA. Archbishop Forbes forwarded a copy of the application to McGuigan that March. See Forbes to McGuigan, March 20, 1935, Cardinal McGuigan Papers, MGFA01.02, ARCAT.

choose between Orangemen and Frenchmen, I would have no hesitation in choosing the former."⁷⁰

Forced to reconsolidate once again, Quinn forwarded a list of all the French parishes in Ontario along with the names of their secretaries and chairman of their local CTA chapters to Hepburn's Secretary, Roy Elmhirst, on November 20. All of whom, he promised, were united under the auspices of the CTA. He also included letters of support from the French prelates, including Forbes, Couturier and Bishop Louis Rheaume of Haileybury.⁷¹ Appeals to the premier however held little influence. Having sought out Catholic support separately from English and French before the election, he continued to negotiate with them in like manner, going so far as to invite Edmond Cloutier to draw up a new list of proposals prior to outlining his legislative plans to caucus the following spring.⁷²

⁷⁰ Quinn then offered an interesting perspective on what he viewed a "dangerous French Canadian nationalism," stating: "...I foresee a time, perhaps not in the very distant future, when, if the activities of many of the current school of French political leaders are not curbed and repudiated, there will develop a line of cleavage between the French people and the balance of the population, the final result of which is hard to forecast." See Quinn to Kidd, January 23, 1935, Bishop Kidd Papers, JTK – 14/HF 4CTA/FF1/L11, DLA and Quinn to Forbes, October 21, 1935, CTAP, File 14, Series 46, MSSBA. Reflecting on this period in 1939, Quinn blamed the French for much of the failure. "The record will show that, time after time, I went to Ottawa to meet these people, that every occasion we came to a definite and amiable agreement, and, each time, subsequently found myself to be the victim of untruth and treachery, such treachery, indeed, as I am sure will amaze the average French Catholic when he comes to know my experience with those whom they accepted as their leader." See Quinn to Brennan, July 13, 1939, CTAP, File 16, Series 46, MSSBA.

⁷¹ Bishop Joseph Hallé, Vicar Apostolic for Northern Ontario to Quinn, January 29, 1935 and Bishop Louis Rheaume to Quinn, November 19, 1935, CTAP, File 9, Series 46, MSSBA. Resolutions signed from each parish with French Canadians were forwarded to the premier, as were letters endorsing Quinn's leadership. See Forbes to Quinn, October 18, 1935, Couturier to Quinn, October 18, 1935 and Rheaume to Quinn, November 15, 1935, Hepburn Papers, RG 3 – 11, Box 233, OA.

⁷² While the proposals this time did not stress particular French concerns, they were separate and distinct from what had been previously submitted by the CTA to Arthur Roebuck as

With the tumultuous year of 1936 behind them, the bishops were clearly in a quandary as to how to proceed next. Still confident that "the Premier is definitely sympathetic to our schools and will help to the greatest degree within his power," McGuigan was in favour of a quieter, less political form of Catholic Action.⁷³ It was at this time, prior to the first meeting of the year for the General Committee, that a group of Liberals from the Diocese of London proposed a new direction. Later dubbed "Catholic Fixers" by Quinn, they included lawyers Albert Murphy of London and Charles McNevin of Chatham, as well as the new editor of *The Catholic Record*, Rev. F.J. Brennan. Stressing the need for the movement to return to closed-door negotiations with the government, they would eventually undo the work done by Quinn to bring the school tax matter out into the open.⁷⁴

Murphy and McNevin especially had always been frustrated by what they referred to as the CTA's "Toronto centredness," and the dictatorial, uncompromising leadership of Martin Quinn.⁷⁵ Demanding that Catholic property, not average attendance, was the only legitimate basis for the tax support of separate schools, they argued in vain that the Quebec Plan went far beyond the intentions of the constitutional framers. Along with other representatives from the London Diocese, Claude Brown and C.P. McTague,

the basis of their legislative demands, and concentrated on the matter of a fair distribution of the taxes from corporations. See Cloutier to Hepburn, February 29, 1936, Hepburn Papers, RG - 3-10, Box 253, OA.

⁷³ McGuigan, Personal Memo, undated, 1937, Cardinal McGuigan Papers, MGS020.132 (a), ARCAT.

⁷⁴ Quinn, "Catholics are Counted But They Don't Count," p. 22.

⁷⁵ Murphy to Quinn, July 14, 1933, letter and essay "How History Repeats Itself," Hepburn Papers, MU 4909, OA.

they had briefed Bishop Kidd to this effect in 1932.⁷⁶ Murphy and Quinn continued to debate the idea throughout 1932, until Quinn closed the matter at the final General Committee meeting of the year, claiming he would resign his chairmanship if the Quebec Plan was not taken as the definitive policy of the CTA.⁷⁷ The wave of popular momentum for the provincial Liberals, however, saw both Murphy and McNevin eventually address these arguments directly to Hepburn. In the summer of 1933, Murphy forwarded him a copy of his essay "How History Repeats Itself," highlighting the background of the school tax question and his case for the legitimate Catholic claims therein.⁷⁸

These inroads to the premier would prove opportune for the CTA in 1937. Hepburn had effectively broken off relations with Quinn following his Oshawa speech to the Knights of Columbus the previous year, and would no longer talk to him.⁷⁹ The minutes of the General Committee meeting for March 6, 1937 record the approval of Kidd's suggestion that a delegation composed of local businessmen pay a neighbourly visit on the premier, whose home riding of Elgin

⁷⁶ Murphy to Kidd, March 3, 1932 and J.A. McNevin, C.P. McTague, Claude Brown and A.H. Murphy, "Memorandum Re: Ontario School Taxes," November 24, 1932, Bishop Kidd Papers, JTK 14/HF 1 CTA/FF1/L 6 and 53, DLA.

⁷⁷ Quinn to Kidd, November 29, 1932, Bishop Kidd Papers, JTK 14/HF 1 CTA/FF1/L56, DLA and "Catholic Taxation Association of Western Ontario – Meeting Minutes, December 3, 1932," CTAP, File 15, Series 46, MSSBA. Equally forthright, Murphy continued to register his opinion with other General Committee members. See Murphy to Kernahan, December 9, 1932, Bishop Kidd Papers, JTK 14/HF 1 CTA/FF1/L59, DLA and Murphy to James E. Day, December 11, 1932, CTAP, File 3, Series 46, MSSBA.

⁷⁸ Murphy to Quinn, July 14, 1933, letter and essay "How History Repeats Itself"; McNevin to Hepburn, October 24, 1933, Hepburn Papers, MU4909 and MU4910, AO. Later in 1938 Quinn charged McNevin with being tainted by partisan politics, accusing him of being in receipt of "...a few thousand dollars per year from Leduc's dept." for work he was doing in western Ontario as a "gas referee." McNevin's legal practice served only the Union Gas Company of Canada. See Quinn to Kidd, August 30, 1938, CTAP, File 10, Series 46, MSSBA.

West was conveniently situated in the Diocese of London.⁸⁰ While the meeting proved uneventful, with the premier offering none of the promises he had made in 1933, it did mark a key transformation for the CTA. The opportunity for friendly discourse with Hepburn coupled with the potential to defuse religious tensions in the province had allowed the "Catholic Fixers" to supplant Quinn in the confidence of the bishops. Kidd recommended that the hierarchy privately debrief the contingent and determine a strategy to address what was sure to be a sectarian backlash in the next provincial election.⁸¹

Protestant opposition to the legislative amendments had marked the pre and post election fervour surrounding East Hastings. W.H. Dawson, Grand Master for the Grand Orange Lodge for Ontario West, had publicly called for the law's repeal in August of 1936.⁸² Having already pledged themselves to the same goal, the Conservatives wanted to lose none of this momentum going into the next provincial election. Reminding constituents that "The Separate School Issue is Still a Major Issue," the Tory candidate for Riverdale, W.A. Summervue, ran what amounted to a single-issue campaign.⁸³ The Conservatives also fabricated a new organization, the Ontario Public School Defense League, responsible for deluging ridings with a wave of new propaganda pointing to

⁷⁹ Hepburn to Quinn, February 21, 1936, Hepburn Papers, MU4910, AO.

⁸⁰ CTA General Committee Minutes, March 6, 1937, CTAP, File 11, Series 46, MSSBA.

⁸¹ Kidd to McGuigan, March 16, 1937, Cardinal McGuigan Papers, MGSO20.305, ARCAT.

⁸² *The London Free Press*, August 19, 1936.

⁸³ Campaign Leaflet, W.A. Summervue, "The Separate School Question is Still a Major Issue," undated, 1937, Hepburn Papers, RG 3 – 12, Box 353, OA.

"Hepburn's Attempt to Disrupt our Public School System" as a rallying point for Protestants.⁸⁴ Likewise, the distribution of a chain letter throughout the province, coyly signed "Your Protestant Friend," was designed to stir emotional responses from public school supporters. Claiming that the law had already diverted \$300,000 from public school coffers, it charged "Hepburn has made another agreement with the Roman Catholic Separate School Taxation Association."⁸⁵ While John Saywell concludes that the letter backfired on election day, actually stirring Catholic opposition to the Conservatives among Franco-Ontarians in several ridings in northern Ontario, the bishops had good reason to be concerned that they would be targeted for further acrimony in a public campaign over school taxes.⁸⁶

Clarifying that "so far Mr. Quinn has acted in the name of the Catholic Taxpayer's Association with only long distance authority as there has been no recent meeting of the Association," even Archbishop O'Brien was now prepared for a new course of action.⁸⁷ Murphy and McNevin counseled caution and restraint on the part of the CTA in the election, warning that East Hastings had

⁸⁴ Public School Defense League, leaflet, undated, 1937, CTAP, File 11, Series 46, MSSBA.

⁸⁵ It also queried "Shall Rome be permitted to control Ontario as it does Quebec?" See Circular Letter, anonymous, undated, 1937, Cardinal McGuigan Papers, MGSO20.129 (a), ARCAT.

⁸⁶ The letter was widely distributed in many of the province's Catholic ridings, especially French areas in the north. Citing correspondence between Cecil and Leslie Frost, John Saywell states "The letter was so effective in marshalling support for Mitch, that the Frost brothers concluded it probably had a Liberal origin." See Saywell, *"Just Call Me Mitch"*, p. 357.

⁸⁷ O'Brien to McGuigan, August 22, 1937, Archbishop O'Brien Papers, File "1937 Mc-Mac," AAK.

been a “red light” for all politicians with regard to religio-political issues.⁸⁸ The new direction would also include a conciliatory approach to dealing with the ACFEQ. Both McGuigan and O'Brien had taken notice of a *Le Droit* editorial that August, which called on the Liberals and Conservatives to work together in solving the school tax question.⁸⁹ They soon followed suit, directing the *Register* and *Canadian Freeman* to drop their coverage of the school tax matter later that month.⁹⁰ Silence for both the CTA and all representatives of the Catholic press and associated organizations then became the official policy of the Ontario hierarchy with their Plenary Meeting in Ottawa on September 2, 1937.⁹¹

Uncompromising and in possession of the unanimous endorsement of the General Committee from its last meeting, Quinn had continued in vain to commit both the CTA and the premier to a public commitment.⁹² Blaming the debacle at East Hastings on a weak Catholic defense in his absence, he pleaded his case with the bishops that this was the ultimate political struggle in Ontario.⁹³

⁸⁸ Murphy to Kidd, August 1, 1937, Bishop Kidd Papers, JTK 14/HF 6CTA/FF1/L34, DLA.

⁸⁹ *Le Droit*, August 12, 1937.

⁹⁰ McGuigan to Kidd, August 20, 1937, Bishop Kidd Papers, JTK 14/HF 6 CTA/FF1/L43, DLA. See also O'Brien to McGuigan, August 22, 1937, Archbishop O'Brien Papers, File “1937 - Mc, Mac,” AAK.

⁹¹ “Decisions of the Plenary Meeting of the Hierarchy of Ontario Held at Ottawa on September 2, 1937,” CTAP, File 11, Series 46, MSSBA.

⁹² Quinn to McGuigan, March 15, 1937, Cardinal McGuigan Papers, MGSO20.102 (a), ARCAT. See also CTA General Committee Minutes, March 6, 1937, CTAP, File 11, Series 46, MSSBA.

⁹³ Quinn called East Hastings “A wonderful opportunity that I would have gladly availed myself of.” See Quinn to General Committee, September 21, 1937, CTAP, File 11, Series 46, MSSBA. See also Quinn to McGuigan, February 1, 1937; Quinn to McGuigan, February 22, 1937, Cardinal McGuigan Papers, MGSO20.93 (a), .97(b) and .98 (b), ARCAT and Quinn to Kidd,

Moreover, in an attempt to restart his crumbled relationship with Hepburn, Quinn commended the premier's resolve in not yielding to demands made by the four thousand General Motors workers who had been on strike that April in Oshawa.⁹⁴ In August he wrote to the parish priests to ascertain the level of local support for a renewed political drive in the fall election.⁹⁵ By September, he promised Murphy he would publicly ask Hepburn to commit to a new amendment to the Separate School Act.⁹⁶ When McGuigan notified Quinn of the hierarchy's formal election policy and publication ban, he bridled, actually going so far as to recall for the archbishop that Neil McNeil had given him full dominion over the school tax question. Compelled to state his position plainly once again, McGuigan declared the CTA to be under the complete jurisdiction of the Ontario bishops. He later remarked to O'Brien of the meeting: "Of course I think that if we treat the matter delicately he will see that every movement within the Church, no matter what it may be, must necessarily be under the control of the Bishops."⁹⁷

Failing to generate the interest or support of the hierarchy or the CTA executive, Quinn made one last attempt to force the issue back into the campaign. Published in September of 1937, his "The Case for Ontario Separate

February 24, 1937, Quinn to Kidd, February 26, 1937, Quinn to Bishop Denis O'Connor, March 3, 1937, Bishop Kidd Papers, JTK - 14/HF 6CTA/FF1/L15, 18, 19, DLA.

⁹⁴ Hepburn to Quinn, April 30, 1937, Bishop Kidd Papers, JTK 14/HF 6 CTA/FF1/L26, DLA.

⁹⁵ Quinn to "Parish Priests," August 7, 1937, Cardinal McGuigan Papers, MGSO20.107, ARCAT.

⁹⁶ Quinn to Murphy, September 7, 1937, Bishop Kidd Papers, JTK 14/HF 6 CTA/FF1/L46, DLA.

⁹⁷ McGuigan to O'Brien, September 15, 1937, Cardinal McGuigan Papers, MGSO20.313 (a), ARCAT.

Schools" was a non-partisan outline of the history of the school tax question, appealing, as usual, to "Catholics and fair-minded Protestants."⁹⁸ Non-confrontational, the document rehashed many of his now traditional arguments, including that the CTA was asking for fairness rather than charity or concessions, and that the demand for religious education was one that had been shared by both Catholics and Protestants in the years leading up to Confederation.⁹⁹ When the religious press, with the notable exception of *The Canadian Freeman*, refused to publish the generally open and conciliatory pamphlet, Quinn understood this battle to be lost, and acknowledged to Murphy on September 27 that he would not speak publicly in the final weeks of the campaign.¹⁰⁰ For his part, Murphy, who had been trying all along to assure Hepburn that he would act in the interests of "political expediency," Quinn's resignation in the campaign, last minute though it was, had not come a moment too soon.¹⁰¹ On September 25 he had written to Hepburn, promising

They (CTA) are prepared to sacrifice what present advantage or benefit might come from a public appeal and are prepared to risk the suspicion that they are failing, at this time, to push their claims as vigorously as may be, rather than precipitate a religious issue...such action is dictated by the continued trust in yourself and

⁹⁸ Martin J. Quinn, "The Case for Ontario Separate Schools," September, 1937, Cardinal McGuigan Papers, MGSO20.115 (b), ARCAT.

⁹⁹ Quinn, "The Case for Ontario Separate Schools," pp. 2-6.

¹⁰⁰ Two days before receiving written confirmation from Quinn, Murphy relayed to Hepburn the news that: "...Mr. Quinn has agreed to refrain from making any public demands on you as aforesaid." See Murphy to Hepburn, September 25, 1937 and Quinn to Murphy, September 27, 1937, Cardinal McGuigan Papers, MGSO20.112 (c) and .114, ARCAT.

¹⁰¹ Murphy to Hepburn, August 11, 1937 and Murphy to Hepburn, September 8, 1937, Bishop Kidd Papers, JTK 14/HF 6 CTA/FF1/L41, DLA.

your government, inspired by your efforts in 1936 and your words on the occasion of the repeal of Bill 136.¹⁰²

An ardent and determined party-man, Albert Murphy's Judas-like delivery of silence in the campaign was, he was sure, filled with the promise of salvation for the separate schools. Ultimately though, Hepburn's second straight majority government, returned on October 7 with only seven fewer seats than in 1934, would clear his conscience of whatever obligation he felt to Catholics in the matter of the school tax question.

Despite his best efforts, Quinn was unable to convince either McGuigan or Brennan that the *Register* and the *Record* should restart the press campaign following the election.¹⁰³ In fact, Brennan's suggestion that the CTA should proceed cautiously, gradually feeling out the premier's mood before re-introducing the idea, reeked to Quinn of supplication, and provoked him to respond in hostility "over my dead body."¹⁰⁴ With no public expression of intent to revisit the idea of remedial legislation by the end of the year, the hierarchy was forced to confront the fact that the school tax question was quickly becoming yesterday's news.¹⁰⁵ Arranging for the first meeting of the General Committee in

¹⁰² Murphy to Hepburn, September 25, 1937, Cardinal McGuigan Papers, MGSO20.114, ARCAT. Op. cit., Saywell, Just Call Me Mitch, p. 356.

¹⁰³ Quinn to Mr. M. Frank Forristal, November 5, 1937, Cardinal McGuigan Papers, MGSO20.121 (c), ARCAT. Quinn also complained to Kidd about the lack of press support here for his pamphlet. See Quinn to Kidd, November 8, 1937 ARCAT .121 (d) and Quinn to McGuigan, October 7, 1937, Bishop Kidd Papers, JTK 14/HF 6 CTA/FF1/L56, DLA. See also Brennan to Quinn, October 9, 1937, Cardinal McGuigan Papers, MGSO20.120 (b), ARCAT

¹⁰⁴ Quinn to Brennan, October 12, 1937, Cardinal McGuigan Papers, MGSO20.120 (c), ARCAT.

¹⁰⁵ In a letter to a friend at St. Francis Xavier Rectory in Scotland, Archbishop O'Brien noted that "...though he did not settle the separate schools question, he has given the Province

nearly a year, McGuigan issued invitations to "parties interested in the Separate School Tax Question."¹⁰⁶ Held on January 19 in Toronto, the first order of business called for a resolution "reaffirming the unity of all Catholics of the province under the direction of the Bishops, Archbishops and Pastors, in their efforts to secure relief in matters touching on the welfare of the Catholic Separate Schools."¹⁰⁷ "Efforts" in this direction were, however, already underway, and the resolution passed unanimously. Nearly a year removed from their last meeting with the premier, the "Catholic Fixers" were determined to make a more plaintive appeal to Hepburn. Assisted by ACFEO representatives E.C. Desormeaux and Edmond Cloutier, the new delegation had already received the hierarchy's approval to represent the combined interests of English and French Catholics.¹⁰⁸ Murphy and McNevin composed a new position paper for the meeting, entitled "In the Matter of the Separate Schools of Ontario." With the Quebec Plan now out of the picture, they called for a legislative amendment on the basis of "...relative assessment of individual taxpayers in a municipality, along the lines of the system adopted in Saskatchewan and Alberta."¹⁰⁹ Suggesting the plan would

good government, and taxes have been materially reduced." See O'Brien to Rev. Frank Grant, October 8, 1937, Archbishop O'Brien Papers, File "1937 - G,H,I", AAK.

¹⁰⁶ McGuigan to Quinn, January 17, 1938, Cardinal McGuigan Papers, MGSO20.134, ARCAT.

¹⁰⁷ Meeting Minutes, Catholic Taxpayer's Association, January 19, 1938, Cardinal McGuigan Papers, MGSO20.137, ARCAT.

¹⁰⁸ Kidd to McGuigan, January 14, 1938, Cardinal McGuigan Papers, MGSO20.316, ARCAT. See also O'Brien to Kidd, January 21, 1938, Archbishop O'Brien Papers, File "1938 - N,O,P," AAK.

¹⁰⁹ Murphy and McNevin, "In the Matter of the Roman Catholic Separate Schools of Ontario," First Draft, February 17, 1938, Bishop Kidd Papers, JTK 14/HF 7 CTA/FF1/L5, DLA.

be amenable to both Liberals and Conservatives, they met with Hepburn on February 8, 1938 and Murphy and Desormeaux presented the premier with a final copy of their paper a month later.¹¹⁰ In both meetings Hepburn offered a sympathetic ear, but demanded he was unwilling to precipitate a "religious war in Ontario." Calling on their loyalty to the Liberal Party and committing them to silencing both Quinn and the bishops, Hepburn, nonetheless, promised to consider their proposal.¹¹¹

Murphy and McNevin had based their hope for bipartisan cooperation on statements made by the Conservatives since the repeal of Bill 138. Adopting a far different posture from the one he had taken at East Hastings, Earl Rowe stood in the legislature that spring to declare "I will tell Roman Catholics that I am in favour of granting their full measure of rights in accordance with the BNA Act," and suggested that they had been used by the government for "purely political reasons."¹¹² Without any firm guarantees from the Tories to support such a venture, though, Hepburn had already reverted to an old course, repackaged to seem new, as his last solution to the school tax question.

See also Murphy and McNevin, "In the Matter of the Roman Catholic Separate Schools of Ontario," March 7, 1938, CTAP, File 14, Series 46, MSSBA.

¹¹⁰ Murphy to Kidd, February 25, 1938, Bishop Kidd Papers, JTK 14/HF 7 CTA/FF1/L7, DLA. See also Hepburn, "Memorandum of Conversation with Desormeaux and Murphy (of London), 10th March, 1938," Hepburn Papers, RG 3 – 10, Box 301, AO and "Report to the Officers and Members of the Catholic Taxpayer's Association of Ontario and L'Association Canadienne-Francaise dedication d'Ontario," March 20, 1940, Cardinal McGuigan Papers, MGSO20.334, ARCAT.

¹¹¹ Quinn to Scott, March 29, 1938, CTAP, File 10, Series 46, MSSBA.

¹¹² Rowe to Burnham, May 13, 1937, Cardinal McGuigan Papers, MGSO20.308, ARCAT. See also Murphy to Leduc, August 11, 1937, Bishop Kidd Papers, JTK 14/HF 6 CTA/FF1/L41, DLA.

Though Duncan McArthur's Commission of Enquiry into the Cost of Education had finished work in 1936, its findings were not tabled until March of 1938.¹¹³ Pointing to the dramatic increase in educational costs across the province, the Commission's Report acknowledged the reality that Catholic schools, owing largely to their lower assessments, were suffering. Striving to resolve the matter without benefit of legislative enactment, the Commission recommended a new scheme for the distribution of educational grants in the province that would see more funds transferred to the support of separate schools.

Revealing the logic behind the legislative amendments in a feature article in *Maclean's Magazine* in the fall of 1936, Hepburn explained his idea had been to make separate schools more accountable for their own support:

For several years the Minister of Education has had the power, in his own discretion, to distribute as between public and separate schools the special grants made for needy schools. In some cases he had to cut the public school grants to make up to the separate schools what they didn't get in taxes. The need for the granting of the special assistance by the province was the inability of the local separate school supporter to maintain his own school...The purpose of the amendment is to place the burden of supporting the separate school on the local community...¹¹⁴

Clearly designed to appeal to concerned Protestants in the months leading to East Hastings, Hepburn had depicted the exception, not the rule. The *Education Act* of 1843 had established the precedent for the distribution of educational grants. Here Catholics or Protestants could apply for the creation of a Common

¹¹³ "Report to the Officers and Members of the Catholic Taxpayer's Association of Ontario and L'Association Canadienne-Francaise d'education d'Ontario," March 20, 1940, Cardinal McGuigan Papers, MGSO20.334, ARCAT.

School in a district with ten or more residents, as long as the application to the government was accompanied by the names of three trustees. Government grants were then distributed to both systems, without prejudice, on the basis of school attendance. The *Separate Schools Act* of 1863, which ensured greater rights for the denominational schools, continued this practice, stipulating

Every Separate School shall be entitled to a share in the fund annually granted by the Legislature of this Province for the support of Common Schools, and shall be entitled also to a share in all other public grants, investments and allotments for Common School purposes now made or hereafter to be made by the Province or the Municipal authorities, according to the average number of pupils attending such school during the twelve next preceding months, or during school during the twelve next succeeding months, or during the number of months which may have elapsed from the establishment of a new Separate School, as compared with the whole average number of pupils attending school in the same City, Town, Village or Township.¹¹⁵

After lengthy debate, the *Act* was accepted four years later as the basis for the Constitutional agreement in regard to separate schools.

Following an even distribution of the grants according to school attendance in the latter half of the nineteenth century, the practice underwent a subtle transformation starting in 1900, one that became punitive to the rapidly growing separate schools. Attempting to encourage development and raise educational standards across the province, successive Conservative governments subdivided the basic legislative grant was into "Regular Grants," distributed according to average school attendance and a new basis for "Assisted Grants." The system, described by Maxwell Cameron as "...in a stage of

¹¹⁴ *Maclean's Magazine*, September 15, 1936.

transition between reward-for-effort and equalization grants," now saw Assisted Grants used to reward schools willing to build libraries, expand services and programs as well as hire teachers certified by the Ontario Department of Education.¹¹⁶ Between 1901 and 1930, what had been an even distribution of grant monies began to clearly advantage the more progressive, corporation-assisted public schools. While Catholics were ripely criticized in this regard for their reluctance to build, hire and expand, a simpler reality prevailed.¹¹⁷ Having sat so long on the precipitous edge of insolvency, limited programs and facilities and the often under-qualified but less expensive brothers, priests and nuns were generally responsible for making separate schools viable under the conditions provided for in *The Assessment Act* (Table 6.1).

¹¹⁵ *The Separate Schools Act*, (1863), 25 Victoria, Chapter V, Section XX.

¹¹⁶ Maxwell A. Cameron, "The Financing of Education in Ontario," *Bulletin #7*, (Toronto: Department of Educational Research, University of Toronto, 1936) p. 69. See also "Regulations, Respecting Special Departmental Grants to Public and Separate Schools," Circular 56, Ontario Department of Education, 1936.

¹¹⁷ "Report of the Inter-Church Committee on Protestant-Roman Catholic Relations, November 11, 1945." The brief was submitted to the Royal Commission on Education, under the direction of Mr. Justice John Andrew Hope, by the Inter-Church Committee on Protestant - Roman Catholic Relations.

**Table 6.1 Legislative Grants to
Public and Separate Schools
1901-1925**

| Year | Actual | | | | | | |
|------|-------------------------|----------------------|----------------------|------------------------|---------|----------|----------------|
| | Total Grants (\$) | PS Grants (\$) | SS Grants (\$) | % of Total Grant | SS | *BNA | BNA |
| | | | | | % of | Allotted | % of |
| | | | | | Total | SS Grant | Total |
| | | | | | | | SS Impact (\$) |
| | | | | | | | +/- |
| 1901 | 377,308 | 348,511 | 28,797 | 7.63 | 38,775 | 10.27 | -9,978 |
| 1902 | 383,666 | 353,194 | 30,472 | 7.94 | 42,283 | 11.02 | -11,811 |
| 1903 | 390,156 | 357,964 | 32,192 | 8.25 | 44,279 | 11.34 | -12,087 |
| 1904 | 405,362 | 372,312 | 33,050 | 8.15 | 47,177 | 11.63 | -14,127 |
| 1905 | 414,004 | 380,463 | 33,541 | 8.10 | 50,209 | 12.12 | -16,668 |
| 1906 | 509,795 | 470,312 | 39,478 | 7.74 | 63,285 | 12.41 | -23,807 |
| 1907 | 655,239 | 614,715 | 40,524 | 6.18 | 82,365 | 12.57 | -41,841 |
| 1908 | 770,426 | 714,078 | 56,348 | 7.31 | 96,963 | 12.58 | -40,615 |
| 1909 | 810,595 | 755,251 | 55,344 | 6.82 | 102,012 | 12.58 | -46,668 |
| 1910 | 805,635 | 752,642 | 52,993 | 6.57 | 104,918 | 13.02 | -51,925 |
| 1911 | 892,377 | 833,288 | 59,089 | 6.62 | 118,073 | 13.23 | -58,984 |
| 1912 | 842,279 | 790,433 | 51,846 | 6.15 | 114,927 | 13.64 | -63,081 |
| 1913 | 778,150 | 737,712 | 40,438 | 5.19 | 107,211 | 13.77 | -66,773 |
| 1914 | 760,845 | 716,377 | 44,468 | 5.84 | 104,328 | 13.71 | -59,860 |
| 1915 | 849,872 | 807,740 | 42,132 | 4.95 | 115,381 | 13.57 | -73,249 |
| 1916 | 831,988 | 786,152 | 45,836 | 5.50 | 116,879 | 14.04 | -71,043 |
| 1917 | 907,846 | 844,719 | 63,127 | 6.95 | 124,340 | 13.69 | -61,213 |
| 1918 | 970,585 | 901,972 | 68,619 | 7.06 | 130,404 | 13.43 | -61,791 |
| 1919 | 1,316,529 | 1,217,482 | 99,047 | 7.52 | 181,260 | 13.76 | -82,213 |
| 1920 | 1,630,836 | 1,497,164 | 133,672 | 8.19 | 233,070 | 14.29 | -99,398 |
| 1921 | 2,454,019 | 2,257,736 | 196,283 | 7.99 | 363,297 | 14.80 | -167,014 |
| 1922 | 2,976,712 | 2,780,749 | 195,963 | 6.58 | 454,521 | 15.26 | -258,558 |
| 1923 | 3,266,584 | 3,048,963 | 217,621 | 6.66 | 495,170 | 15.15 | -277,549 |
| 1924 | 3,392,552 | 3,150,895 | 241,657 | 7.12 | 533,398 | 15.72 | -291,741 |
| 1925 | 3,401,863 | 3,162,518 | 239,345 | 7.03 | 545,261 | 16.02 | -305,916 |

*BNA Allotted SS Grant: These figures represent the amount of legislative grants that would have gone to the separate schools if distributed according to average school attendance from the preceding school year, as per the 1863 *Separate Schools Act*. They are based on a ratio of average school attendance for each year indicated.

Source: Adapted from the "Report of the Minister of Education for the Province of Ontario, 1900-1931."
Calculations are mine.

With their school tax amendments failing in 1936, the Liberals were now contemplating their own manipulation of the legislative grants in order to free themselves from the school tax controversy. McArthur had initially broached the

idea at the CTA brief presentation in January, 1935.¹¹⁸ That year he forwarded a wealth of statistical data to Hepburn, showing how separate schools were already benefiting in the province's funding scenario without legislation.¹¹⁹ From 1926 to 1933, the Ferguson and Henry governments had slowly adjusted the Assisted Grants in order to resolve the gap between public and separate school assessments. In this period, \$1.50 per pupil had been allocated where the annual assessment per capita was \$5000.00 and over, a figure that increased to \$5.00 per pupil where the assessment was less than \$2,000.¹²⁰

McArthur's new scheme would now see low assessments as the entire basis for receiving Assisted Grants. He had actually begun to move the system in this direction in his first fiscal year as Deputy Minister. Where the grant, if taken in accordance with the *British North America Act*, had seen separate schools under-allocated by \$50,123 in 1934, that figure increased to a surplus payment of \$2,061 in 1935. With the flawed amendments in place in 1936, the theoretical grant reverted again to a deficit of \$18,515. Repealing the law in 1937 returned the practice of "over-paying" the separate schools, with a surplus

¹¹⁸ "Some Pertinent Points made by a Delegation Which Waited on Cabinet, January 22, 1935," Hepburn Papers, RG - 3 - 11, Box 233, OA.

¹¹⁹ *The Mail and Empire*, April 4, 1936. Quinn had stated to O'Brien that he "feared" McArthur. See Quinn to O'Brien, February 7, 1935, CTAP, File 6, Series 46, MSSBA. O'Brien too did not get the sense that McArthur was sensitive to the Catholic position when he called on him that summer as part of the work of his "Commission of Enquiry into the Cost of Education." See O'Brien to Kidd, August, 11, 1935, Archbishop O'Brien Papers, File "1935 - J,K,L," AAK. See also "Confidential Memorandum for the Minister of Education Respecting the Distribution of Grants Under the Proposed Scheme of Revision of Public and Separate School Grants," Toronto, February 21, 1938, RG - 3 - 10, Box 288, Hepburn Papers, OA.

¹²⁰ *The Department of Education Act*, RSO, 1927, Chapter 32, 1934 and "Instructions to School Inspectors, re: the Apportionment of the legislative Grant among the Public and Separate Schools," Instruction 12, Ontario Department of Education, 1938 (revised).

of \$16,988 that would see them kept in the black for the foreseeable future (Table 6.2).

Table 6.2 Legislative Grants to Public and Separate Schools 1926-1939

| Year | Actual | | | | | | |
|------|-----------|-----------|-----------|-------|----------|-------|----------------|
| | | | SS | | *BNA | BNA | |
| | Total | PS | SS | % of | Allotted | % of | |
| | Grants | Grants | Grants | Total | SS Grant | Total | SS Impact (\$) |
| | (\$) | (\$) | (\$) | Grant | (\$) | Grant | +/- |
| 1926 | 3,345,309 | 3,073,879 | 271,430 | 8.11 | 532,811 | 15.92 | -261,381 |
| 1927 | 3,404,647 | 3,108,370 | 296,277 | 8.70 | 557,435 | 16.37 | -261,158 |
| 1928 | 3,507,364 | 3,207,949 | 299,415 | 8.53 | 571,616 | 16.29 | -272,201 |
| 1929 | 3,686,301 | 3,318,071 | 368,230 | 9.98 | 625,067 | 16.95 | -256,837 |
| 1930 | 3,753,499 | 3,396,681 | 356,818 | 9.50 | 641,390 | 17.08 | -284,572 |
| 1931 | 4,102,448 | 3,614,516 | 487,932 | 11.89 | 714,163 | 17.40 | -226,231 |
| 1932 | 3,847,696 | 3,312,585 | 535,111 | 13.90 | 688,438 | 17.89 | -153,327 |
| 1933 | 3,356,314 | 2,812,961 | 543,353 | 16.18 | 607,312 | 18.09 | -63,959 |
| 1934 | 3,237,520 | 2,697,039 | 540,481 | 16.69 | 590,604 | 18.24 | -50,123 |
| 1935 | 3,013,917 | 2,469,022 | 544,895 | 18.07 | 542,834 | 18.01 | 2,061 |
| 1936 | 3,165,834 | 2,601,815 | 564,019 | 17.81 | 582,534 | 18.40 | -18,515 |
| 1937 | 3,776,570 | 3,048,392 | 728,178 | 19.28 | 711,190 | 18.83 | 16,988 |
| 1938 | 4,419,300 | 3,439,051 | 980,249 | 22.18 | 836,272 | 18.92 | 143,977 |
| 1939 | 4,634,670 | 3,593,213 | 1,041,457 | 22.47 | 892,946 | 19.26 | 148,511 |

*BNA Allotted SS Grant: These figures represent the amount of legislative grants that would have gone to the separate schools if distributed according to average school attendance from the preceding school year, as per the 1863 *Separate Schools Act*. They are based on a ratio of average school attendance for each year indicated.

Source: Adapted from the "Report of the Minister of Education for the Province of Ontario, 1932-1940." Calculations are mine.

Suspicious of McArthur from the outset, Quinn had sited his "persistent attitude" as "the greatest cause of uneasiness amongst our people closely in touch with the situation" in the fall of 1935.¹²¹ With the Commission's findings officially tabled on March 15, 1938, the Liberals course of action in regard to the

¹²¹ Quinn to O'Connor, October 28, 1935, Cardinal McGuigan Papers, MGSO20.32 (c), ARCAT.

funding of the separate schools had been finalized. Hepburn refused to see the Catholic delegation again, prompting a brief and limited return by the CTA to Quinn's activist approach. With the hierarchy's approval, a joint letter of protest signed by Quinn, Adelard Chartrand of the ACFEO, and Brennan on behalf of "The General Committee of Above and Affiliated Catholic Bodies of Ontario," was released on March 30, 1938.¹²² A clear attempt to avoid further Catholic division, they protested Hepburn's disregard of the school tax question, "which continues to be a very live issue with the Catholics of the province."¹²³ While the bishops gave their approval for its release to the Toronto dailies and to have it read in the parishes on April 10, Palm Sunday, the matter was already a *fait accompli*.¹²⁴ On April 4 the *Toronto Star* had reported Hepburn as saying that the Ontario government had not committed itself "in any way" to action on separate school taxes.¹²⁵ His only concession in the matter came early the next month when the director of the Liquor Control Board of Ontario was notified by the premier's office that all property assessments for the organization were now to be divided between the public and separate schools "in the same proportion

¹²² Quinn, Chartrand and Brennan to Hepburn, March 30, 1938, Hepburn Papers, AO. See also "Report to the Officers and Members of the Catholic Taxpayer's Association of Ontario and L'Association Canadienne-Francaise d'education d'Ontario," March 20, 1940, Cardinal McGuigan Papers, MGSO20.334, ARCAT.

¹²³ Quinn, Chartrand and Brennan to Hepburn, March 30, 1938, Hepburn Papers, AO.

¹²⁴ Palm Sunday that year was April 10. See McGuigan to Parish Priests, March 30, 1938, Cardinal McGuigan Papers, MGSO20.141 (a), ARCAT. Here too partisan Catholics were at work, as F.X. Chauvin of Windsor, the Chairman of the Separate School Section of the Ontario Educational Association, that was about to hold its annual meeting, wrote to Hepburn to ensure that the letter from the Bishops would not be read there. See Chauvin to Hepburn, April 12, 1938, Hepburn Papers, RG 3 – 10, Box 294, AO. See also "Report to the Officers and Members of the Catholic Taxpayer's Association of Ontario and L'Association Canadienne-Francaise d'education d'Ontario," March 20, 1940, Cardinal McGuigan Papers, MGSO20.334, ARCAT.

that each of their municipal levies bears to the total amount of school taxes collected in your municipality.”¹²⁶

While the return to backroom political negotiations had clearly failed for the bishops and their new-look CTA, autonomous, political Catholic Action would no longer be a feature of the agitation. The deepening economic depression in both Canada and the United States had raised concerns among the hierarchy for the increased participation of lay Catholics in social and political causes. The bishops continued in their ambivalence to the CCF, which was increasingly popular with Catholic voters in Ontario by the late 1930s owing to their more gradual introduction of social and economic policies.¹²⁷ Queried by the Papal Nuncio, Ildebrando Antoniutti, for a definitive position on the Christian Socialist Party, McGuigan was typically non-committal, as he had been the year before with Catherine de Hueck, suggesting the movement “be carefully studied by a committee of expert representatives of various sections of the country.”¹²⁸

The Archbishops and Bishops of the United States were also concerned for the political aspirations of lay Catholics, and published an authoritative statement on the topic in 1938. Entitled “Catholic Action and Catholic Activity,” the document introduced a new body, the Department of Lay Organization, which included the

¹²⁵ *The Toronto Star*, April 4, 1938.

¹²⁶ The issue had been originally raised by E.F. Henderson of the TSSB on January 31, 1938. It was investigated by Eric Cross for Hepburn on April 8 and 22, 1938. See “Memorandum,” Edmond G. Odette, Chief Commissioner of the L.C.B.O. to Hepburn, May 5, 1938, Hepburn Papers, RG 3 – 10, Box 294, AO;

¹²⁷ David Cameron, An Electoral Analysis of Democratic Socialism in Ontario, (M.Ph. Thesis, University of Toronto, 1965), cited in Baum, Catholics and Canadian Socialism, p.127.

¹²⁸ Cited from Jeanne Beck, “Henry Somerville: Catholicism and the CCF,” *Chelsea Journal* 2, September/October, 1976, pp. 263-264.

National Council of Catholic Women and the National Council of Catholic Men.

Attempting to steer lay initiatives away from leftist causes, they concluded on the need for the laity to seek the guidance of the Church

Affiliation with these enable Catholic lay organizations to know the mind of the hierarchy, which must ever be the common guide of all. Through such affiliation...it is easy for any Catholic organization in the United States to know whether its common effort is in harmony with the mind of the Bishops before publicity is given.¹²⁹

Undaunted by their own political failings in the past, the Ontario hierarchy also felt similarly disposed to rein in the laity. While the *Register* and the *Record* had been permitted to publish editorials condemning Hepburn's virtual abandonment of the school tax question, it is clear that the bishops desired an informed but not independent Catholic laity.¹³⁰ That May, the *Canadian Freeman* reminded readers "...the moment Catholic Action breaks the bonds which hold it in subjection to the Ecclesiastical Hierarchy it ceases to be Catholic Action."¹³¹ The October edition of Hamilton's *Catholic Voice* also called for a renewal of the movement, highlighting Fr. J.B. Ryan's address to the Hamilton Men's Holy Name Society. He cautioned that only "under the guidance of our Bishop and directly through our own parish priest, therefore do we participate in social Catholic Action. Under such guidance will social justice and social charity be advanced."¹³²

¹²⁹ The Archbishops and Bishops of the United States of America, "Catholic Action and Catholic Activity," Cardinal McGuigan Papers, undated, 1938, MGSOO4.06, ARCAT.

¹³⁰ *The Catholic Record*, April 9, 1938. See also *The Catholic Register*, April 14, 1938.

¹³¹ *The Canadian Freeman*, May 21, 1938.

¹³² *The Catholic Voice*, October 8, 1938, p. 3.

Answerable only to his conscience, Martin Quinn proved intractable in his own commitment to Catholic Action. Close discussions with his friend Eric Cross, the Minister of Welfare, had brought him to the conclusion that there was little interest within Hepburn's caucus in regard to revisiting the divisive school tax issue.¹³³ By the spring of 1938 he was resolved to acting alone, "with a view to convincing the Catholics of Ontario that they have been completely fooled by Mr. Hepburn over the last four or five years, and that he has succeeded in obtaining a solid Catholic vote at two elections on the basis of his promises, both private and public."¹³⁴ That January Quinn had begun work on the most polemic of his diatribes in the seven years of his association with the CTA. "Catholics are Counted But They Don't Count" was a vitriolic discourse on the history of the fight for legislative reform thus far. Released to the public on July 15, 1938, the booklet was intentionally confrontational, and allowed him to distance himself from the two factions, namely the "Catholic Fixers" and the ACFEO, that he felt were most responsible for sabotaging Catholic Action.¹³⁵ Among other causes, he attributed the failure to achieve legislative redress to a "prominent Catholic

¹³³ Quinn to Murphy, January 24, 1938, Cardinal McGuigan Papers, MGSO20.136 (b), ARCAT. See also Quinn to Scott, March 28, 1938 and Quinn to Scott, April 7, 1938, CTAP, File 10, Series 46, MSSBA and *The Toronto Star*, April 4, 1938.

¹³⁴ Quinn to Scott, March 29, 1938, CTAP, File 10, Series 46, MSSBA.

¹³⁵ Quinn initially told Scott he was going to mail copies of the booklet to professionals first, including "4,260 doctors, 1945 dentists, 2,809 lawyers, 1,080 engineers, 644 chartered accountants and 459 architects as well as every member of the legislative assembly and the editors of all of the daily and weekly papers." See Quinn to Scott, January 7, 1938 and Quinn to Scott, January 25, 1938, CTAP, Files 10 and 14, Series 46, MSSBA. Quinn later admitted to having delayed the releases of "Catholics are Counted" due to the possibility of government action in the first part of the year. Of the 552 priests who received it in the summer of 1938, he had heard back from only one, a Fr. Cloran who thought the Quinn letter was "a piece of genius." See Quinn to Rev. J.A. Cloran, CSsR, August 31, 1938, CTAP, File 10, Series 46, MSSBA.

plague.” Explaining that high profile Catholics “...have been one of the greatest obstacles in our path, and, by and large, are in great measure responsible for a situation...that has cost us over three millions of dollars,” he pushed lay people to rise from their complacency and demand more from those purporting to represent them in high office.¹³⁶

Unwilling to navigate the labyrinthine hallways of the political arena, Quinn was a man possessed of deeply rooted values and ideals. Writing to McGuigan in 1935, he had demanded “the improved political state of Catholics in Ontario can only be maintained by a public insistence, through the Catholic press and otherwise, that the Catholic body shall be consulted when appointments involving the representatives of our people are to be made.”¹³⁷ Having tried and failed to promote the causes of worthy Catholic men to a host of vacancies in Cabinet, Senate and to the Bench, he was repeatedly disappointed by the process of informal tokenism that marked such appointments. The resignation of Justice F.J. Hughes from the Supreme Court of Canada in 1935 had seen him press the hierarchy to promote the candidacy of L.A. Landriau.¹³⁸ The eventual selection of C.P. McTague brought him to conclude that the appointment would “...give

¹³⁶ Quinn, “Catholics are Counted, But They Don’t Count,” July 15, 1938, p. 4.

¹³⁷ Quinn to McGuigan, July 26, 1935, Cardinal McGuigan Papers, MGSO21.23 (a), ARCAT. The *Toronto Star* noted in the spring of 1938 that Patrick Dewan and Paul Leduc especially had been pressing Hepburn to accede to Catholic requests to address the school tax question again. See *The Toronto Star*, April 4, 1938.

¹³⁸ Carroll to O’Brien, February 4, 1935; Kernahan to O’Brien, February 11, 1935, Archbishop O’Brien Papers, File “1935 – C,D” and “1935 – J,K,L,” AAK. See also Quinn to Kidd, February 4, 1935 and Kidd to Quinn, February 6, 1935, Bishop Kidd Papers, JTK – 14/HF 4CTA/FF1/L13, DLA.

impetus to the growing resentment on the part of Catholics on the selection by politicians of our representatives."¹³⁹

The normally honorific mood that followed the spring announcement of papal honours in the Archdiocese of Toronto took a personal turn for Quinn in 1937. Designated by McGuigan to receive a Cross Pro Ecclesia, he declined the award, complaining to W.L. Scott that it had been "conferred upon a curiously assorted group ...probably half of the balance were women."¹⁴⁰ While Quinn was actually in quite good company, with Henry Somerville, fellow CTA Executive member W.T. Kernahan and businessman Ernest Seitz also in line for the honour, he felt degraded by the hierarchy.¹⁴¹ Having received the Senate appointment for which Quinn had been proposed in 1935, Frank O'Connor's philanthropy in the archdiocese had been recognized the previous year, when McGuigan conferred on him the superior title of Knight Commander of the Order of St. Gregory the Great. Wounded, Quinn concluded "personal service,

¹³⁹ Quinn to Bishop R.H. Dignan, July 25, 1935, Cardinal McGuigan Papers, MGSO20.23 (b), ARCAT. He failed again to get Landriau's name in 1937 when another Catholic Judge, Arthur Kelly, announced his retirement from the High Court, a nomination that went to J.C.M. German. See Quinn to Kidd, March 11, 1937, Bishop Kidd Papers, JTK – 14/HF 6CTA/FF1/L28, DLA and O'Brien to O'Connor, June 15, 1937, Landriau to O'Brien, August 25, 1937, Archbishop O'Brien Papers, "1937 – L,N,O,P," AAK. Quinn later regarded McTague's candidacy for Chief Justice of the Supreme Court in 1938 as "...the least acceptable to informed Catholics." See Quinn to Scott, December 13, 1938, CTAP, File 14, Series 46, MSSBA.

¹⁴⁰ O'Connor to O'Brien, May 18, 1937, File "1937 N-O-P," AAK. See also Quinn to McGuigan, November 16, 1937, Cardinal McGuigan Papers, MGSO20.124 (a), ARCAT. Both Kidd and O'Brien remarked to Quinn that his refusal of the award would be taken as an insult to the hierarchy. See Kidd to Quinn, May 21, 1937 and O'Brien to Quinn, May 27, 1937, Bishop Kidd Papers, JTK 14/HF 6CTA/FF1/L30 and L31, DLA.

¹⁴¹ McGuigan to Kernahan, Quinn, Somerville and Seitz, May 8, 1937, Cardinal McGuigan Papers, and MGSU28.04 (h), (l), (m),(n), ARCAT.

regardless of their quality, or the risk involved, cannot be permitted to share the spotlight with cash.”¹⁴²

Referring to the partisan nature of “Catholics are Counted...,” and calling it a “vicious attack on a number of the leading Catholic laymen of the province,” Albert Murphy demanded Quinn’s official dismissal from the CTA. He and McNevin planned to refute the “most offensive parts” of the pamphlet in one of their own.¹⁴³ Catholic Liberals though had been responsible for their own litany of empty promises and false encouragements during the Hepburn years. Austin Latchford, so vocal in opposition to any form of negotiation with the Conservatives in 1933, was equally adamant that the Liberals had more pressing matters two years later:

On October 3, 1934, I wrote to you regarding the separate school, question...I was somewhat disconcerted to learn that you propose to deal with this question during your first session. The matter has been discussed with various parties both here and in Toronto regarding the Catholic liberal points of view and the only suggestion I can make regarding action before the federal election is to repeal Punch’s Advice to Those About to Marry: Don’t!¹⁴⁴

In addition, the formidable Catholic triumvirate of Heenan, McGuire and O’Connor had all avoided the East Hastings campaign, prompting Quinn to insist

¹⁴² Kidd to O’Brien, November 30, 1935, Archbishop O’Brien Papers, “1935 – J,K,L,” AAK. See also McGuigan to O’Connor, May 8, 1936 Cardinal McGuigan Papers, MGSU28.02 (b), ARCAT and Quinn to Scott, January 7, 1938, CTAP, File 10, Series 46, MSSBA. Scott in called the Cross Pro Ecclesia a “joke,” and was not surprised that Quinn rejected it. See Scott to Quinn, January 10, 1938, CTAP, File 10, Series 46, MSSBA.

¹⁴³ Murphy to McGuigan, September 13, 1938. See also McGuigan to Murphy, September 19, 1938, Cardinal McGuigan Papers, MGSO20.149 (a) and (b), ARCAT. In response to his own defense of the Oshawa speech in “Catholics,” a group led by Albert C. Love, Secretary of the Oshawa RCSSB, wrote to McGuigan that Quinn understood the press were at the Knights of Columbus meeting the year before, but that he spoke his mind regardless. See Albert C. Love to McGuigan, September 6, 1938, CTAP, File 10, Series 46, MSSBA.

to McGuigan "...the CTA and it alone has the confidence of the Catholic people and should speak for them in this matter."¹⁴⁵ The repeal of Bill 138 in the spring of 1937 only made matters worse. O'Connor's assurance to Quinn in August that in return for the CTA's silence, the premier would " ... thank us generously after the election," continued the tradition of building and breaking hopes.¹⁴⁶ Formally splitting with the "new CTA," he remarked to Bishop Kidd

I am quite aware that this style of Catholic politics is so new as to be startling and offensive to the school which believes that we must always remain abject supplicants at the feet of politicians of every political stripe. I do not believe that, and I cannot, and will not, work with those who do.¹⁴⁷

The bishops also understood that at least some Catholic representatives had let them down. Describing the election results in 1937 as "...a cause of real joy to the faithful," O'Brien eagerly anticipated the infusion of fresh blood into the cabinet with Patrick Dewan's appointment as Minister of Agriculture, supplanting the "weak representations" made by Peter Heenan.¹⁴⁸ Bishop Kidd concurred,

¹⁴⁴ Latchford to Hepburn, February 28, 1935, Hepburn Papers, RG 3 – 10, Box 243, OA.

¹⁴⁵ Though he was from Deseronto, Frank O'Connor does not appear to have been a factor in the campaign. Peter Heenan was visiting friends and family in Ireland. See Quinn to McGuigan, February 1, 1937, Cardinal McGuigan Papers, MGSO20.93 (a), ARCAT. See also Quinn to Bishop Denis O'Connor, February 20, 1937, Cardinal McGuigan Papers, MGSO20.101 (b), ARCAT. Complaining to McGuigan about Heenan's abandonment of Catholics at East Hastings, Quinn said "I have no hesitation in expressing the view that Judas Iscariot, compared with Mr. Heenan, was a gentleman. At any rate, he had the decency to be so thoroughly ashamed of his treachery that he went out and hanged himself with a halter." See Quinn to McGuigan, February 18, 1937, Cardinal McGuigan Papers, MGSO20.96 (a), ARCAT.

¹⁴⁶ Quinn to McGuigan, August 5, 1937, Cardinal McGuigan Papers, MGSO20.105, ARCAT.

¹⁴⁷ Quinn to Kidd, August 30, 1938, CTAP, File 10, Series 46, MSSBA.

¹⁴⁸ O'Brien to McGuigan, October 8, 1937, Cardinal McGuigan Papers, MGSO20.119, ARCAT. Already falling into disfavour with the Premier by 1937, John Saywell contends that Hepburn had only kept him as Minister of Lands and Forests out of personal loyalty and due to lack of a good MPP in the north. See Saywell, Just Call Me Mitch, p. 301. *The Windsor Star* noted

noting Dewan was "about as good as any representative we have among the elected."¹⁴⁹

The infighting that marked Martin Quinn's loud and long exit from the Catholic Taxpayer's Association had virtually overlooked the fact that, other than offering increased grants, the Hepburn administration continued to obfuscate in the matter of a new law. By December of 1938, even the partisan "Catholic fixers" understood that some pressure would have to be brought to bear on the Liberals, and were eager to encourage the bishops in that direction in the new year.¹⁵⁰

Envisioning the school tax work "...to be done more by the Bishops than even in the past," Bishop Kidd called for a complete turnout of the Ontario hierarchy at the first meeting of what would be the new Catholic Taxpayer's Association.¹⁵¹ Chaired by McGuigan on January 24, 1939, a motion was unanimously passed thanking Martin Quinn, who had by now resigned his office, for his "...long, interested and zealous work for the Catholic schools of Ontario."¹⁵² Now officially a co-operative venture, McGuigan outlined the need to work together with the ACFEO and to "take steps to build up the Catholic

that Heenan and George Henry nearly came to blows in the legislature. As a peace offering, Heenan sent Henry a pot of shamrocks. See *The Windsor Star*, March 3, 1937 and *The Evening Telegram*, March 18, 1937.

¹⁴⁹ Kidd to O'Brien, October 8, 1937, Archbishop O'Brien Papers, File "1937 – J,K,L," AAK.

¹⁵⁰ McNevin to McGuigan, December 22, 1938, JTK - 14/6CTA/FF1/L22, DLA.

¹⁵¹ The original date for the meeting had been set for January 14, 1939. See Kidd to McGuigan, January 5, 1939 and Kidd to McGuigan, January 15, 1939, Cardinal McGuigan Papers, MGSO20.155, and .156, ARCAT.

Taxpayer's Association" according to a clear and definitive constitution.

According to McGuigan's vision, this included organizing local associations in the various political constituencies of the province, and the insistence that all members, including bishops, priests and the laity, interview and lobby M.P.P.'s from both provincial parties. The parish study groups would be resurrected, and a Joint Provincial Convention, including representatives of the ACFEQ and the CTA, would be held under the auspices of the General Committee.¹⁵³

Later that month, McGuigan notified the parish priests that they were to immediately convene regional meetings of the CTA, and for them to confirm that local chapters were functioning across the province.¹⁵⁴ In addition, each bishop was directed to name a priest as Diocesan Director responsible for reporting to the new regional executive in 1939.¹⁵⁵ The ACFEQ organized the French parishes of the province in similar fashion, agreeing to work with the CTA as a separate lobby, with both groups maintaining their own corporate identities.¹⁵⁶ As the Acting Secretary for the new CTA, Fr. Brennan informed Kidd in February that the parish level organizations were proceeding according to plan, and that

¹⁵² Meeting Minutes, General Committee of the Catholic Taxpayer's Association, January 24, 1939, Cardinal McGuigan Papers, MGSO20.157, ARCAT.

¹⁵³ McGuigan, "Suggestions," handwritten memo, undated, 1938, Cardinal McGuigan Papers, MGSO20.204, ARCAT. See also "Constitution of the Catholic Taxpayer's Association of Ontario," January, 1939, CTAP, File 14, Series 46, MSSBA.

¹⁵⁴ McGuigan to Parish Priests, January 28, 1939, Cardinal McGuigan Papers, MGSO20.159, ARCAT.

¹⁵⁵ Brennan to Kidd, February 14, 1939. See also McGuigan, "Program of Organization of Catholic Taxpayer's Association of Ontario," undated, 1939, Bishop McNally Papers, File "Catholic Taxpayer's Association," DHA.

¹⁵⁶ Executive Committee Minutes, ACFEQ, February 3, 1939, ACFEQ Papers, CRCCF.

he had already distributed 25,000 copies of "The Case for Ontario Separate Schools."¹⁵⁷

The first meeting of the new General Committee was held on Sunday February 26, 1939 at the King Edward Hotel in Toronto, and included representatives from the both the ACFEO and the CTA. The bishops were elected honorary presidents of what was now being called the Catholic Taxpayer's Association of Ontario. Gone was the sense of obstinacy from clergy that had been largely responsible for the slow growth of the original CTA. With the bishops now directly supervising recruitment and organization within each diocese, the new-look CTA was easily able to boast the participation of four hundred and fifty parishes grouped into more than fifty regional divisions within a month.¹⁵⁸ A critical change had taken place. The sense of ownership lay-people had taken over "their" association had been forced to succumb to complete ecclesiastical intervention and organization. With the school tax question once again firmly in the hands of the clergy, Catholic Action in education had survived the resignation of Martin Quinn in name only.

By late February, the local CTA and ACFEO committees were actively encouraging lay people and elected representatives of both parties to commit to a plan of action in regard to the school tax question.¹⁵⁹ With the media silence

¹⁵⁷ Brennan to Kidd, February 14, 1939, Bishop Kidd Papers, JTK 14/HF 8 CTA/FF1/L7, DLA.

¹⁵⁸ Meeting Minutes, Archdiocesan Meeting of the Catholic Taxpayer's Association, February 25, 1939, Cardinal McGuigan Papers, MGSO20.324, ARCAT.

¹⁵⁹ "Regional Division Executive – Publicity Interview for CTA Members," January, 1939, and "Partial Report on Interviews of Members by Regional Committees," undated, 1939 and Mr.

lifted from the religious press, Henry Somerville was quick to editorialize the CTA demands in *The Catholic Register*. Calling publicly funded separate schools a "Constitutional Right", he declared, "To say the state and not the parents, should rule the education of the child is... to proclaim Hitlerism in Canada."¹⁶⁰ Writing to his brother bishops that March, McGuigan suggested the time had never been better to de-politicize the school tax question, and almost immediately a flurry of correspondence issued forth from the hierarchy to both Liberals and Conservatives, appealing to their sense of "justice" and "British fair play."¹⁶¹ Writing directly to the premier, McGuigan, who was unaccustomed to demanding his rights, stated "Your expressed desire and your past effort to do justice to the Catholics of this province are appreciated at their full worth."¹⁶²

T.J. Morrison, President for the CTA Riding Association of Simcoe - Dufferin to General Committee, Catholic Taxpayer's Association of Ontario, February 25, 1939, Cardinal McGuigan Papers, MGSO20.196 (a), .212 and .168 (a) ARCAT. See also Aimé Arvisais to M. President du Comité Régional de Ontario, le 17, février, 1939; "L'Association Canadienne-Francaise D'Education D'Ontario – Renseignements et Directives Au Sujet de la Question des Impôts Scolaires," undated, Bishop Kidd Papers, JTK – 14/HF 8CTA/FF1/L10, DLA and Aimé Arvisais to "Monsieur le Curé," March 2, 1939, Circular, "L'Association canadienne-française d'Education d'Ontario et la Catholic Taxpayer's Association," March 2, 1939, Cardinal McGuigan Papers, MGSO20.172 (a) and (b), ARCAT.

¹⁶⁰ *The Catholic Register*, February 23, 1939.

¹⁶¹ McGuigan to Bishop J. Ryan, copied to the Ontario Hierarchy, March 8, 1939, Ryan to Hepburn, March 16, 1939 and Ryan to Drew, March 16, 1939, Bishop McNally Papers, File "Catholic Taxpayer's Association," DHA. Responding to a letter from Bishop Denis O'Connor of Peterborough, Hepburn promised to take up the matter with his caucus the following week. See Bishop Denis O'Connor to Hepburn, March 14, 1939 and Hepburn to Bishop Denis O'Connor, March 15, 1939, Hepburn Papers, RG 3 – 10, Box 301, OA. See also McGuigan to Hallé, copied to Archbishops and Bishops of Ontario, March 9, 1939, Couturier to McGuigan, March 15, 1939 and Ryan to McGuigan, March 15, 1939, Cardinal McGuigan Papers, MGSO20.175 (a), .180 (a) and .181, ARCAT.

¹⁶² Rough Draft, handwritten, McGuigan to Hepburn, March 9, 1939, Cardinal McGuigan Papers, MGSO20.173 (a), ARCAT. McGuigan also wrote conciliatory letters to George Drew and the Members of the Legislative Assembly. See McGuigan to Drew, March 9, 1939, and McGuigan to "Provincial MLA's of Ontario," Cardinal McGuigan Papers, MGSO20.176 and .173 (b), ARCAT.

Initially, positive overtures were extended to the CTAO from both Liberals and Conservatives. Another joint delegation led by Murphy and Desormeaux interviewed George Drew later that month, who promised both co-operation and justice for the separate schools.¹⁶³ Patrick Dewan relayed to Brennan news that he had discussed the matter with Hepburn, as had Leduc and Heenan, and that the premier was "positively disposed" to some form of action.¹⁶⁴ Thomas McQueston, the Minister of Highways, also wrote to the new Bishop of Hamilton, J.F. Ryan, suggesting that the government would take action on the school tax question during the present legislative session.¹⁶⁵ Finally, in a last minute attempt effort to convince Hepburn that his own party favoured remedial action for separate schools, Brennan noted to Hepburn the results of an informal survey he had conducted with his caucus. He found eight cabinet ministers and twenty-six members viewing the idea "very favourably," with four and twenty-two respectively viewing it "favourably."¹⁶⁶

The re-organization of the CTA, however, proved a fruitless enterprise. For the most part, Catholics were already resigning themselves to the fact that grants were the best that could be hoped for. After suffering further financial injury due to the flawed legislation in 1936, McArthur's plan had happily returned

¹⁶³ Desormeaux to McGuigan, March 10, 1939, Cardinal McGuigan Papers, MGSO20.177 (a), ARCAT.

¹⁶⁴ Brennan to Mr. J.D. Poole, March, Hepburn Papers, F1432, Box 1, File 21, AO. See also Kidd to Dewan, March 13, 1939 and Dewan to Kidd, March 16, 1939, Hepburn Papers, F1432-1, Box 1, File 21, OA.

¹⁶⁵ McQueston to Ryan, March 20, 1930, Bishop McNally Papers, File "Catholic Taxpayer's Association," DHA.

many separate boards from the verge of bankruptcy. Submitting his yearly report in the Archdiocese of Kingston, Separate School Inspector C.P. Matthews noted to O'Brien that the rural schools there had already received \$2,500 more in the Assisted Grants in 1938 than they had the year previously.¹⁶⁷ As well, Desormeaux, writing on behalf of the Ottawa Separate School Board, and Rev. Joseph Englert, Chairman of the Hamilton Separate School Board, wrote to Hepburn in 1939, thanking him for the "generosity and kindness" that had allowed them to remain solvent through another difficult budget year.¹⁶⁸

McGuigan was also resigned to the fact that Catholics would have to make do with increased grants. Writing to the pastors in Barrie, Ontario that April, an area of particularly low assessments, he instructed "no threats or unpleasant words are necessary." Directing them to appeal for more grants to Simpson, the Minister of Education and ironically the local M.P.P., he referred to the plan as "the only relief likely."¹⁶⁹ *Le Droit* too seemed satisfied with the government's efforts, announcing on April 29 "The promises of Mr. Hepburn, P.M. of Ontario...have been kept...generous grants for the needy schools...connections between the grants and the assessments...Mr Hepburn

¹⁶⁶ Brennan to Hepburn, April 5, 1939 and Brennan to Hepburn, April 13, 1939, Hepburn Papers, RG - 3 - 10, Box 301, OA.

¹⁶⁷ C.P. Matthews, "Summary of Grants to School Board in Separate School Division XV," 1938, Archbishop O'Brien Papers, File "1939 - M," AAK.

¹⁶⁸ Desormeaux to Hepburn, December 28, 1939 and Englert to Hepburn, undated, 1939, Hepburn Papers, RG - 3 - 10, Box 301, OA.

¹⁶⁹ McGuigan to "Rev. Pastors, The Deanery of Barrie," April 12, 1939, Cardinal McGuigan Papers, MGSO20.186 (a), ARCAT. Rev. J. A. McDonough then pleaded his case directly to Hepburn, claiming that even with the increased grants offered under the new formula, the separate board in Barrie would experience a shortfall of \$8,000 to \$9,000. See McDonough to Hepburn, April 16, Hepburn Papers, RG - 3 - 10, Box 299, OA.

places the public and separate schools on the same level...these two categories render the same services to society, consequently they must be placed on an equal basis."¹⁷⁰

As had seemingly been the case the year before, the spring of 1939 brought closure to Catholic hopes for an amendment to the Separate Schools Act. The news, relayed by Hepburn to McNevin on April 28, that his caucus had decided in favour of the increased grants on the last day of the legislative session, came as a surprise to no one.¹⁷¹ If the hope still smoldered somewhere that the Liberals might revisit the thorny issue down the road, public school supporters were now determined to stamp them out for good. On May 10, 1939, William H. Butt, Chairman of the Toronto Public School Board, presented Hepburn with a brief outlining opposition to "any change in legislation or departmental regulations that would divert legitimate public school revenue to the Roman Catholic Separate School Boards." A petition to the same effect, signed by one hundred and eight public boards from across the province accompanied the brief.¹⁷² Recalling the worst moments of both East Hastings and the nineteenth century "no popery" crusade, the document challenged Catholics to defend not just their claims for justice in the school tax question but the very

¹⁷⁰ *Le Droit*, April 29, 1939.

¹⁷¹ Brennan to McGuigan, May 4, 1939, Cardinal McGuigan Papers, MGS020.188, ARCAT. While Murphy maintained that the fight would go on, he notified the CTA affiliates that the best they could expect from the premier in the foreseeable future would be grants. See Murphy to "Officers and Members of the Catholic Taxpayer's Association," May 3, 1939, ARCAT .187. See also Murphy to "Officers and Members of the CTA," May 3, 1939, CTAP, File 15, Series 46, MSSBA.

¹⁷² Butt to Hepburn, May 10, 1939, Hepburn Papers, RG - 3 - 10, Box 301, OA.

efficacy of their schools. Claiming that priests and nuns were responsible for draining public coffers of better than one million dollars annually, it charged

...these teachers share in an entirely different category to the public school teachers who enter the community life, in many cases are married and establish homes, and whose salaries are spent in the Ontario towns and cities and then go back into circulation and help keep the wheels of industry moving. The province has a special duty to a school system that occupies such an important place in the life and growth of our country.¹⁷³

With the CTA virtually acquiescing to the government in the matter, Protestants had no need to fear. A CTAO circular letter, distributed in 1940, quoted Hepburn's Secretary, who bluntly stated that Catholics should "not expect that your requests for school tax legislation will be presented again during the lifetime of Premier Hepburn's Administration."¹⁷⁴ The school tax question, like the Catholic Action movement that had risen to resolve it, was now dead.

For Martin Quinn, however, the fight would never be over. Following his resignation as the Chairman of the CTA, he continued in his holy cause. Fearlessly addressing the school tax question as a matter of justice, Quinn resurfaced, refusing to be preached to by co-religionists. When Brennan suggested to him that the responsibility of caring for the interests of the separate schools was really better left to priests and bishops, he replied "...it was a matter of politics and public finance and nothing else, and...I declined to subscribe to any policy which gave the clergy or the hierarchy the right to tell me what my

¹⁷³ The Toronto Public School Board, "Legislative Brief Submitted to The Hon. Mitchell Hepburn, May 10, 1939," Hepburn Papers, RG - 3 - 10, Box 301, OA.

¹⁷⁴ Brennan, circular letter, March 12, 1940, CTAP, File 16, Series 46, MSSBA. See also *The Catholic Record*, May 6, 1939.

politics were to be.”¹⁷⁵ Brennan’s editorial in *The Catholic Record* that March, claiming the school tax question was “not a political issue,” prompted a public row between the two men that further underlined the futility of re-organizing the campaign at this time. Exchanging a series of open letters in the province’s religious press, Quinn referred to the re-organization of the CTAO as a “surrender to traditional political fear, historically the basis of Catholic’s political inferiority.”¹⁷⁶

The social conscience that had driven Quinn to sacrifice both his health and his fortune for the school tax question, however, was still in tact. Writing to Rev. J. Harris, the Archdiocesan Administrator of Catholic Cemeteries in the summer of 1939, he called for justice of a different sort. The tragic drowning of a family acquaintance, June Haylor, at Sunnyside Beach that August, had left her family unable to pay the cost of \$67.78 they had been quoted by Mount Hope Cemetery for a single grave. Claiming that the charges at the non-denominational Prospect Cemetery would have been “considerably less,” he

¹⁷⁵ Quinn to Scott, January 25, 1939, CTAP, File 14, Series 46, MSSBA.

¹⁷⁶ Quinn to Scott, March 30, 1939, CTAP, File 15, Series 46, MSSBA. See also compilation, “The Separate School Tax Issue and The Spirit of 1934 – An Open letter by M.J. Quinn to Rev. F. Brennan,” Quinn to Brennan, May 11, 1939, Brennan to Quinn, May 18, 1939, Quinn to Brennan, June 6, 1939, Quinn to Brennan, June 13, 1939, Brennan to Quinn, July 8, 1939, Brennan to Quinn, July 11, 1939 and Quinn to Brennan, July 13, 1939, CTAP, Files 15 and 16, Series 46, MSSBA. For Quinn’s compilation of the first three letters, which he planned to use as a propaganda tool, see “The Separate School Tax Issue and The Spirit of 1934 – An Open Letter by M.J. Quinn to Fr. F.J. Brennan, Secretary of the Catholic Taxpayer’s Association,” March 13, 1939, CTAP, File 11, Series 46, MSSBA. Quinn and W.L. Scott were also determined to widen the gulf that had always existed between Hepburn and Mackenzie King, writing letters that accused the premier of being “jealous” of the prime minister, and of trying to “destroy” the Liberal Party in the summer of 1939. See Quinn to “Dear Sir”, June 12, 1939, Quinn to Mackenzie-King, June 23, 1939, Mackenzie-King to Quinn, July 12, 1939, Scott to Mackenzie-King, October 25, 1939, Mackenzie-King to Scott, October 27, 1939, Quinn to Mackenzie-King, November 7, 1939 and Scott to Mackenzie-King, November 7, 1939, CTAP, File 16, Series 46, MSSBA.

pleaded the family's case on compassionate grounds. Mustering his most defiant tone, he demanded that the Archdiocese respond "to the end that some of the inevitable bitterness of death may be moved from the shoulders of those who, in most cases, already have more than their share of trouble and are least able to bear it."¹⁷⁷ While Harris claimed that what Quinn was suggesting would threaten "the idea of perpetual care in Mount Hope cemetery altogether," he nonetheless acceded to a lesser charge for the grave.¹⁷⁸

The return to private life also saw Quinn forced to address his personal financial situation, rendered tenuous by both the Depression and his intense time commitment to the CTA. Admitting that he had made up his mind years ago "to put everything I had into the prosecution of a fight for separate school rights," Quinn's once considerable financial reserves had been substantially reduced.¹⁷⁹ Not two years after he had gone public with his case against Weston, Quinn had been forced to sell his stock in the company at a net loss of some \$65,000. He also held approximately \$43,000 worth of Dome Mines stock that he sold for \$9,000. By 1938, his personal and business debts totaled upwards of \$150,000. Adding to his expenses at this time was the round the clock nursing care for his wife, Anna, who had suffered from a debilitating heart condition since the late 1930s.¹⁸⁰

¹⁷⁷ Quinn to Harris, September 7, 1939, Harris to Quinn, September 8, 193 and Quinn to Rev. J.V. Harris, September 14, 1939, CTAP, File 16, Series 46, MSSBA.

¹⁷⁸ Harris to Quinn, September 8, 1939, CTAP, File 16, Series 46, MSSBA.

¹⁷⁹ Quinn to Brennan, September 1, 1939, CTAP, File 16, Series 46, MSSBA. See also McGuigan to Quinn, undated, 1938, Cardinal McGuigan Papers, MGSO20.154, ARCAT.

Notified by a friend of Quinn's predicament, McNeil had extended an open loan of \$3,000 to him in 1933. Following up on this debt to the Episcopal Corporation in 1938, McGuigan found Quinn determined to clear the ledger but still financially troubled. They agreed that he would resume paying installments to the Archdiocese when he became solvent.¹⁸¹ The improved economy accompanying the early years of World War II saw him able to reduce the debt to \$1,000 by May of 1941. The matter was closed a month later, when McGuigan received two Victory Bonds, worth \$500 each, endorsed to the "Archbishop of Toronto."¹⁸²

The relationship between the two men had not been purely financial during this period. In 1940, Quinn began to suffer from the first of a series of gastrointestinal problems that would plague him for the rest of his life. McGuigan offered spiritual comfort with regular visits to him in the hospital and the offer of prayers and masses towards his recovery. Quinn, clearly grateful, wrote to thank the archbishop for his concern. In reply, McGuigan praised Quinn for his dedication to the CTA, prophesying "The immense service you rendered to the

¹⁸⁰ Quinn had been forced to borrow \$6,500 against his life insurance policy in 1938 to pay down his debts. Quinn remarked to McGuigan "this stock was, I am convinced, deliberately depressed to punish me for the trouble I made for their connection with school taxes" – notes that 3 days after he surrendered his stock that the value began to increase; he had paid some \$92,000 for the stock; within 3-4 months of surrendering it he says it was worth \$120,000. He claimed that the Dome stock had also rebounded to a net worth of \$60,000 by the end of the year. See Quinn to McGuigan, February 12, 1938, Quinn and Quinn to McGuigan, October 31, 1939, Cardinal McGuigan Papers, MGSO20.138 and .192, ARCAT. Anna Quinn died in the Quinn family home at 59 Oakmount Drive in Toronto's High Park on Saturday, May 11, 1946.

¹⁸¹ Quinn to McNeil, September 7, 1939 and Quinn to McGuigan, October 31, 1939, Cardinal McGuigan Papers, MGSO20.138, .192 and .193, ARCAT.

¹⁸² Quinn to McGuigan, April 20, 1941, Quinn to McGuigan, May 23, 1941, Quinn to McGuigan, June 16, 1941, Cardinal McGuigan Papers, MGSO20.216, .217 (a) and .218 (a), ARCAT.

Catholic cause during your long, strenuous and often disappointing campaign for our schools cannot and will not be forgotten.”¹⁸³



Martin Quinn and his grandchildren, Paul and Diane Quinn, 1944
(Photo courtesy of the Quinn family)

Martin Quinn died on Friday July 8, 1949 at the private Lockwood Clinic on Bloor Street, in the presence of his youngest son, Gerald. According to the practice of the day, he was waked at his home, followed by a funeral mass at his parish Church of St. Cecilia's. This tribute from the *Canadian Freeman*, following

¹⁸³ Quinn to McGuigan, December 9, 1940 and McGuigan to Quinn, December 9, 1940, Cardinal McGuigan Papers, MGSO20.194 (a) and (b), ARCAT. Writing to Thomas Marshall of Dunnville, Ontario, a former M.L.A. and staunch ally of Quinn's, McGuigan remarked that, though there were differences, "...Mr. Quinn always had and still has the full confidence of Church authorities." See McGuigan to Marshall, October 22, 1940, Cardinal McGuigan Papers, MGSO20.209 (f), ARCAT.

his resignation from the General Committee in 1939, should have been his most fitting epitaph:

To the extent that today Catholics count as well as being counted, the credit is Mr. Quinn's. When he took over the active direction of the age-old demand for recognition of minority rights, it may have seemed to many a dreadful issue. No one thinks so today. When the cross disappears from the Ontario landscape and the last Catholic school closes its doors, Martin J. Quinn will be forgotten. Until then he will be remembered as a shining example of unselfish sacrifice and devotion to a holy cause and a model of Catholic Action.¹⁸⁴

This, however, was not to be the case. Quinn's passing went unrecorded by *The Catholic Register*, the paper that had so closely followed his every move to bring the school tax question to fruition between 1932 and 1936. The omission was an ignominious conclusion for the man who, perhaps more than anyone, had committed himself fully to the cause of Catholic Action in education.

¹⁸⁴ *The Canadian Freeman*, February 2, 1939.

Epilogue

"The Ultimate Political Struggle in Ontario"

The Next Decade

While he failed in the short run to achieve the immediate goal of effective legislation to rectify the school tax question, Martin Quinn's direction of the Catholic Taxpayer's Association marked a critical chapter in the history of lay-Catholic activism. Redefined, Catholic Action did what bishops had publicly called for all along: allow the laity to take a sense of ownership over the church's social mandate. Understanding the matter to be "the ultimate political struggle in Ontario," Quinn took the movement directly to Ontarians, with the result that for most of the 1930s the school tax question was perhaps the most publicized, most dramatic issue in the province. The price of this ownership, however, lay autonomy, proved too much for the Ontario hierarchy of the day, and the next decade would see a series of stinging reversals to the Catholic position in the school tax question, clearly diminishing the past gains made by the CTA.

The "Ford Motor Company Case" offers the first such example. As the full effect of Bill 138 unfolded across the province in 1937, the Ford Company of Windsor, Ontario, grappled with how to divide its educational assessments between the public and separate school boards. Unable to make an accurate determination of its ownership, Ford's Board of Directors decided that 18% of its total tax assessment of \$5,933,360 or \$1,075,200 would go to the local separate

board.¹ This prompted an immediate court appeal from the Windsor Public School Board. Over the next four years, the "Ford Case" proceeded to follow the same labyrinthine route of legal appeals that had seen the Tiny Township Case end in defeat for Catholics years earlier. The Court of Revision found on November 25, 1937 that all of the company's taxes should go to the support of the public schools. On appeal, the County Court of Essex reached the same decision on March 15, 1938. This result was next challenged to the Ontario Supreme Court on May 12, 1938, which granted the appeal on the basis of what it referred to as the "manifest intention" of the province's school tax laws.² The public board then proceeded to take this decision to the Supreme Court of Canada, which dismissed the appeal by a majority vote on October 30, 1939. Defending a risky and costly final appeal to the Privy Council in London then became a joint project of the Windsor Separate School Board and the Ontario bishops.³ Unlike the fervour raised in the province by Quinn building to the 1934 election, including George Henry's plan to address the corporation tax issue through specially formulated legal questions, Catholic Action had now been

¹ *The Windsor Star*, December 21, 1936. Walker notes that the company made the decision in an effort to be fair to the Catholic shareholders, the exact number of whom was impossible to determine. Robert Dixon adds that the decision was made with the lone Catholic on the Board not in attendance. See Walker, Catholic Education and Politics, vol. II, p. 479 and Dixon and Bethune, "A Documentary History," Doc. C17.

² Walker, Catholic Education and Politics, vol. II, p. 480.

³ Interestingly, temporary relief for the separate board was offered from the chairman of the public school board in Windsor. Cecil W. Dwyer suggested a compromise in the distribution of the Ford taxes to the separate board in 1939 that would have seen the separate board receive no more than 9% of all corporate assessments from Ford. Unexpectedly, the public board quickly withdrew the offer late in 1939. The agreement would be in place for either five years or the duration of the war, whichever was longer, and it was agreed that Ford would not argue any agreement satisfactory to both boards. See Kennedy to Dwyer, December 7, 1939, Bishop Kidd Papers, JTK 14/HF 1FCT/FF1, L1, DLA.

silenced. No public acclaim would be made of the Ford Case. Under the direct control of the hierarchy and their newly created Ontario Catholic Educational Council, the bishops were once again in complete control of the school campaign, and had reverted again to using "lay specialists" to assist them as they had done with the Catholic Education Council.⁴ Separate Board Chair J.A. Kennedy approached Bishop Kidd early in 1940 to suggest that, if their defence was successful, the decision would have significance for separate schools across the province, and that costs be shared "at least to some extent by Catholics in other parts of the province."⁵ He was invited to make a formal presentation to an extraordinary meeting of the Ontario Bishops in Ottawa on February 27, 1940, where they agreed to gather diocesan contributions to help fund a Catholic defense.⁶ A delegation including Brennan, Kennedy and lawyer Thomas Gahen was dispatched to London in 1941 with a pledge of moral support from the OCEC.⁷ While the Privy Council decision to uphold the original ruling of the

⁴ Really a re-formation of the defunct Catholic Educational Council that had directed the affairs of the Catholic agitation since 1909, Franklin Walker describes the Ontario Catholic Educational Council as an "ad hoc committee of bishops and prominent English-speaking and French Canadian laymen. It had no permanent organization but met at critical periods to give an overall direction to Catholic policy and to try above all to unite the French and English wings of the church." See Franklin Walker, Catholic Education and Politics, vol. III, p. 3.

⁵ Kennedy to Kidd, January 11, 1940, Bishop Kidd Papers, JTK - 14/HF 1/FCT/ FF1/L3, DLA.

⁶ The hierarchy would be gathered in Ottawa that weekend for the consecration of Archbishop Alexander Vachon, successor to Archbishop Forbes. See Kidd to Kennedy, January 23, 1940, Bishop Kidd Papers, JTK - 14/HF1/ FCT/FF1/ L4, DLA and O'Brien to McGuigan, January 27, 1940 and Brennan to McGuigan, January 27, 1940, Cardinal McGuigan Papers, MGSO20.207 and .208, ARCAT.

⁷ Meeting Minutes, Ontario Catholic Education Council, February 3, 1941, Cardinal McGuigan Papers, MGSO20.220 (b), ARCAT.

Court of Revision was predictable, the effect on the financing of the separate schools in the province would prove startling.⁸

The Ford Case sparked another wave of panic for the separate schools. Writing to his brother bishops, McGuigan, perhaps the individual most responsible for the decimation of lay Catholic educational leadership, interestingly called for new lay initiative:

The decision of the Privy Council in the Ford case is greatly affecting all similar cases in the province with considerable losses to our schools...It now seems necessary for us to make some decision regarding a new set-up or to tell the school boards who are awaiting our leadership to go ahead themselves and do whatever they can to protect their interests.⁹

Indeed, the Windsor Separate School Board had been in default on its government bonds since the early 1930s.¹⁰ The problem soon enveloped other areas of the province. H.H. Goss of Harris, Mackeen, Goss and Company, brokers of "Government, Municipal and Catholic Bonds," wrote to Bishop Ryan of Hamilton noting "It is unfortunate that this situation has not remained a local one, as today it is affecting all separate school financing in the province of Ontario."¹¹ He also related that the decision in the Ford Case adversely affected the demand

⁸ Bishop Kidd wrote to the manager of the Ford Company to thank him for attempting to deal with the matter equitably. See Kidd to Campbell, September 2, 1941, Bishop Kidd Papers, JTK - 14/HF 1 FCT/FF1/L23, DLA.

⁹ McGuigan to Bishops, June 18, 1942, Cardinal McGuigan Papers, MGSO20.223, ARCAT.

¹⁰ Before the amalgamation of the "Border Cities" in 1935, separate boards had been under considerable financial duress in the area that would make up Windsor. The first school district to default payments on its bonds did so in 1931, and by 1933 there were an additional ten that had followed suit. See *The Financial Post*, August 31, 1940.

¹¹ Goss to Ryan, September 3, 1941, Bishop Ryan Papers, File "Catholic Taxpayer's Association," DHA.

for religious securities in the province and that certain large buyers would not be interested in any Catholic securities until the situation involving the Windsor Catholic Board was corrected.¹²

The bishops engaged in backroom politics, placing all of their hopes in the legal outcome of the Ford Case, as Quinn continued on his own volition in his drive for lay autonomy. While he understood their de-politicization of the school tax question to be a "retrograde step," he refused to be silenced by the hierarchy, telling L.A. Landriau

I care nothing at all for public opinion. I am after no advantages whatever in the matter of money, business, honours, preferment of any kind, but I do cherish the right to think for myself, to express my own opinions, and to act as I choose, regardless entirely of what others may think of it.¹³

Quinn would get his next opportunity in the spring of 1940. The Rowell Sirois Commission on Dominion-Provincial Relations had been compiling opinions and ideas on the nature of the relationship between the federal government and the provinces since the mid 1930s.¹⁴ Among the numerous recommendations offered in its report of May that year was that the provinces should relinquish control of corporation taxes in return for federal grants that would be used, among other

¹² Ibid.

¹³ Quinn to Scott, January 25, 1939 and Quinn to Landriau, February 9, 1939, CTAP, File 14, Series 46, MSSBA.

¹⁴ The Roman Catholic Trustees Association of Ontario submitted its own brief to the commission on May 31, 1938, acknowledging the fact that the matter of funding separate schools was a provincial jurisdiction, but "the present effects and future prospects of revenue sources for educational purposes and of provincial jurisdiction are proper matters for your consideration." See "Brief of the Roman Catholic Separate School Trustees Association of Ontario Presented to The Rowell Commission on Dominion and Provincial Relations on May 31, 1938 at Ottawa," Bishop Kidd Papers, JTK - 14/HF 7 CTA/FF1/L16, DLA.

things, to ensure a standard of social services across the country.¹⁵ Distracted by the prospect of Ontario bearing the lion's share of financing what would amount to equalization payments for the poorer provinces, Premier Hepburn likened the idea to his attempt to resolve the school tax question in 1936:

I can speak feelingly on this issue...we tried, as a Government, to remedy a simple, obvious injustice with regard to school tax revenues. We failed, and the very ones we tried to help, were as anxious as anyone else to have us retrace our steps.¹⁶

With the OCEC still clearly unwilling to challenge the premier, Quinn went on the offensive. During the Dominion-Provincial Conference in early 1941, called to address the Commission's recommendations, he accused Hepburn of re-writing history to suit his convenience. Resurrecting his promises before and after the 1934 election to remedy the situation for the separate schools, Quinn attempted to destroy the Premier's credibility by declaring

The subsequent history of his government dealings with the matter have demonstrated the futility of placing dependence on his often boasted courage to remove "injustice and inequality" wherever they were to be found in the province.¹⁷

Prior to the next provincial election in 1943, Quinn went further, notifying McGuigan and Liberal leaders that, though a life-long Liberal, he would vote for his local Conservative candidate, coincidentally Col. George Drew, in the upcoming provincial election.¹⁸

¹⁵ "Commission on Dominion-Provincial Relations," Book 1, (Ottawa: King's Printer, 1941), pp. 269-272

¹⁶ *The Canadian Freeman*, January 23, 1941.

¹⁷ *The Catholic Record*, January 24, 1941.

Continued efforts by Quinn supporters to rejuvenate Catholic Action

proved futile. Writing to McGuigan in 1942, W.L. Scott insisted that the bishops had been duped

Their Excellencies, the Bishops, were misled by certain politicians, whose main objective was the choking off of opposition to the Hepburn government and the removal, or, at any rate, the great reduction of the pressure which up to that time had been constantly exerted on it on behalf of the Catholic body....I would have thought, after 60 years of experience, no thinking Catholic would imagine that we would ever accomplish anything by relying on fair words or even fair promises.¹⁹

Unfortunately the hierarchy were less inclined than ever to engage autonomous lay activism. McGuigan had already decided against assembling a meeting of the OCEC in 1942, remarking "On account of the war situation, it does not seem probable that any particular result may come from the meeting."²⁰ While he did relent to the establishment of a new organization, the English Catholic Education Association of Ontario, late in 1942, the hierarchy insisted it be led by a cleric, who was soon announced to be Fr. Vincent Priester of the Diocese of Hamilton.²¹ McNevin and Murphy also found positions here, reporting directly to the bishops as their representatives from the OCEC. Priester then invited delegates from across the province to its inaugural meeting on April 27, 1943 at Teefy Hall on the campus of St. Michael's College in the University of Toronto.

¹⁸ With the Conservative victory over the Liberals in 1943, Drew became Ontario's fourteenth premier. See Quinn to McGuigan, July 20, 1943, Quinn to Nixon, undated and Quinn to Conant, undated, Cardinal McGuigan Papers, MGSO20.232 (a), (b) and (c), ARCAT.

¹⁹ Scott to McGuigan, November 20, 1942, Cardinal McGuigan Papers, MGSO20.228 (a), ARCAT.

²⁰ McGuigan to Brennan, February 18, 1942, Cardinal McGuigan Papers, MGSO20.221 (b), ARCAT.

Meeting Chairman E.F. Henderson, who would soon be elected the ECEAO's first president, outlined the history of the organization, indicating that it would serve as a "focus of unity" for the English Catholic Separate Schools.²² Another holdover from the days of the CTA, Fr. Brennan, remarked that the ECEAO would "go beyond the scope of the former Catholic Taxpayer's Association, giving to every child in this Province, and in this Dominion for that matter, equal educational opportunities."²³ Bishops Brodeur of Alexandria, Nelligan of Pembroke and Kidd of London all stressed once again "the laity as well as the clergy have a definite responsibility in this matter of education." Delegate J.P. Allan of North Bay concurred, declaring the ECEAO would "help the laity to take their rightful place in matters of education instead of allowing the parish priests to do all of the work."²⁴

There was little doubt that the ECEAO would remain separated from the ACFEAO there was little doubt. Certainly Quinn placed the lion's share of the responsibility for the breakdown of the CTA's efforts on the subtle manipulation of

²¹ Walker, Catholic Education and Politics, vol. III, p. 4.

²² Meeting Minutes, English Catholic Education Association of Ontario, April 27, 1943, Cardinal McGuigan Papers, MGSO20.231, ARCAT.

²³ Ibid.

²⁴ Ibid.

its French-English makeup, referring in 1939 to

...that small element of unscrupulous tricky politicians, clerics and otherwise, who are gradually creating a situation which will be climaxed by a definite line-up between the French people on one side and all of the rest of the population, Catholic and Protestant alike, on the other side, and when that time comes I am going to ride a white horse on the 12th of July.²⁵

Again in 1942 Brennan had made a proposal to unite French and English efforts on the educational front, forwarding to the ACFEQ his proposal "Summary of Suggested Objects and Activities of a Central Educational Bureau." He suggested that French and English separate school boards pledge their "proportionate part of the financial support" to a joint effort to represent Catholic educational interests with the government. ACFEQ Secretary Leopold Lambert politely declined the offer, referring directly to the CTA and the fact that their efforts had best remain separated:

...we imagine the "Central Bureau" to be that of the Catholic Taxpayer's Association. If our assumption is correct, we are pleased to see our English sister association thereby consolidating its organization and assuring its future efficiency. That would complete and strengthen the organization of all Ontario Catholics, divided, on linguistic grounds, in their respective Associations (French and English), but united in the Ontario Catholic Educational Council, on all questions of common interest.²⁶

²⁵ Quinn to Casey, February 9, 1939, CTAP, File 14, Series 46, MSSBA.

²⁶ Lambert to Brennan, December 9, 1942, Cardinal McGuigan Papers, MGSO20.229 (b), ARCAT.

By the time of the first official meeting of the ECEAO, an agreement had been worked out between the two groups that would have each take responsibility for funding their own "distinct but united" programs.²⁷

The ECEAO was put to the test almost immediately. That summer George Drew, now premier, hinted that he would launch his own investigation into the overall function of education in the province, going well beyond the work of Duncan McArthur's Commission of Enquiry Report five years earlier.²⁸ Formally announced in 1944, the Royal Commission on Education was to be headed by Mr. Justice John Hope, and would involve a comprehensive investigation into education in Ontario by a panel of nineteen, including four Roman Catholics. As Minister of Education, Drew promised both the ECEAO and the ACFEQ that they would be allowed to appoint their own representatives. By the end of the year they were announced as contractor Joseph Pigott of Hamilton, TSSB and Toronto Archdiocesan attorney Arthur Kelly and TSSB Business Manager E.F. Henderson. Representing Franco-Ontarians was Ottawa lawyer Henri Saint-Jacques.²⁹

Approving of the Catholic nominees but lacking a strong voice on the panel, the bishops tried in vain to direct the proceeding, only to be met with the same sense of lay obstinance offered by Quinn years earlier. A list of

²⁷ See "The Report of the Committee of the Catholic Educational Council on a Joint Agreement for Financial Support and Maintenance by Roman Catholics of the ACFEQ and the ECEAO" in Meeting Minutes, English Catholic Education Association of Ontario, April 27, 1943, Cardinal McGuigan Papers, MGSO20.231, ARCAT.

²⁸ *The Globe and Mail*, July 9, 1943.

²⁹ Priester to McGuigan, October 19, 1944, Cardinal McGuigan Papers, MGSO20.269, ARCAT.

"suggestions" was submitted to Henderson and Kelly, who told McGuigan in no uncertain terms that they would not accept any direction in the matter.³⁰ Writing to Pigott, who was suggested to the ECEAO by Provincial Director of Education J.G. Althouse, Bishop Ryan of Hamilton was rebuked by the layman, who subsequently threatened to resign from the Commission:

I was induced to sit on this commission not because of my religion, but because of my connection with the provincial apprenticeship...I want to put it to Your Excellency with all respect that no matter what the reason for my appointment in no circumstances would I have agreed to serve unless I was free to exercise my own judgement. I have no idea what the final report of the Commission will look like, but it is clear that there is little prospect of that report meeting with your approval, and consequently my part in it would only create a difference between my Bishop and myself, either official or personal, a condition which would be intolerant to me.³¹

Pigott had good reason to suspect that the Report's findings would have a deleterious impact on the separate schools. Indeed, they would recommend the virtual decimation of the entire system.

Tendered in 1950, the Hope Commission Report acknowledged briefs submitted on behalf of the Ontario Catholic Educational Council and the Bilingual Schools Association, including the special call for a fair system for the division of taxes "for Protestants and Catholics, in Ontario as in Quebec."³² The OCEC brief in particular demanded "full funding" for separate schools to be able to fulfil their educational mandates through the secondary program and for increased

³⁰ Walker, Catholic Education and Politics, vol. III, p. 57.

³¹ Pigott to Ryan, September 14, 1948, Bishop Ryan Papers, File "Hope Commission Report," DHA.

³² Hope Commission Report, p. 495.

educational grants.³³ Described by Walker as "hard working, sincere and intelligent, a good lawyer and judge but unimaginative and insensitive to minority passions," it was clear almost from the outset, however, that Justice Hope had little interest in dealing with minority rights in formalizing his recommendations.³⁴ A separate section of the Hope Commission Report, Chapter XIX, was devoted to recommendations specifically to Ontario's separate schools. Entitled "Roman Catholic Separate Schools in the Re-Organized Educational System," it laid out a series of draconian recommendations that, though never acted upon by the next Conservative Premier, Leslie Frost, clearly depicted the reversal of Catholic fortunes from the heady 1930s.

Acknowledging the difficulty in dealing with the separate schools, the report admitted

no phase of our inquiry has consumed more time or proved more difficult than that of the Roman Catholic Separate Schools. Here we encountered a conflict of principles which still makes the problem as impossible of solution by agreement as it has been for the past one hundred years.³⁵

While the *BNA Act* ensured the continued existence of the separate schools, the Commission was clearly bent on inhibiting their operation. Pleading they had made a "careful and objective study of the problem of the separate schools," the majority report proceeded to outline a plan that would see all remedial legislation in regard to the original *Separate School Act* repealed.³⁶ They concluded that

³³ Ibid., pp. 496-497.

³⁴ Walker, Catholic Education and Politics vol. III, p. 18.

³⁵ Hope Commission Report, p. 492.

the "equitable division" of corporation taxes between the separate and public boards as called for in the OCEC brief would be insufficient to provide the separate schools with the financial resources required for the programs they wished to operate. They also determined realty taxes, where the public schools had a 2.3 to 1 advantage in terms of revenue, to be more significant than corporation taxes in the funding of education, with the following evaluation:

We are compelled to conclude that those who elect to become supporters of separate schools must also voluntarily elect to assume a greater financial burden than would be the case than if they had remained public school supporters.³⁷

Addressing claims that the separate schools were handicapped in their ability to keep pace with modern schooling demands, including the need for upgraded facilities, industrial arts programs and kindergartens, the report was equally vindictive. The majority concluded that despite these setbacks, "As indicated by the high school entrance examination results... their achievement in the basic subjects...has been approximately equivalent to that of the public schools."³⁸

The commissioners clearly viewed any gain for the separate schools as a loss for the public system. They did not accept poverty as an impediment to separate school progress, especially in light of the fact that Catholics had continued to lobby for publicly funded separate high schools well after the Tiny Township decision.³⁹ Concluding on the problem of a fair division of corporation taxes as devoid of solution, the report suggested their entire removal from the

³⁶ Ibid., p. 502.

³⁷ Ibid., p. 527.

³⁸ Ibid., p. 508.

support of elementary education.⁴⁰ Having already recommended against separate secondary schools, they now concluded that corporate monies were better applied there, suggesting, strangely, that such a move would be less controversial.⁴¹ They returned to the idea of "distributing legislative grants to make up for shortfalls" as a way of leveling the playing field for both sets of elementary schools.⁴²

Differences were so substantial with the majority that the Catholic delegates assembled a Minority Report. The one-sided interpretation of separate school history in Ontario (which served as the foundation for the majority's recommendations) was deemed so egregious that an anonymous historical appendix on the background to the Catholic schools of Ontario was also commissioned.⁴³ The Minority Report accused the Commission of drawing unsubstantiated conclusions with regard to the nature and efficacy of educational funding in the province and of making recommendations that showed a pure disdain for the existence of separate schools.⁴⁴ It also cited the faulty logic employed by the majority, especially its tone that the separate schools were to be strictly limited by the terms of the "final agreement" of the *BNA Act*. Without

³⁹ Ibid., p. 508.

⁴⁰ Ibid., pp. 508-509.

⁴¹ Ibid., p. 527.

⁴² Ibid., p. 528.

⁴³ Franklin Walker admits to having authored the piece in his last volume on the history of Catholic Education and Politics in the province, calling it "this author's first venture into writing Ontario separate school history." See Walker, Catholic Education and Politics, vol. III, p. 98.

⁴⁴ Hope Commission Report, p. 784.

making specific suggestions, the Minority Report outlined the need for minimum educational standards for both systems in the province. It also stressed that the total costs for education should be shared by both local and central authorities.⁴⁵ Recalling Judge Meredith's decision in the *Ottawa Separate School Trustees v. the City of Ottawa* in 1925, it stated for posterity what was understood as the mantra of the CTA during its heyday: that the constitutional agreement was never intended to be inflexible, and natural growth, be it in terms of corporations, high schools or facilities and programs should not leave the separate schools in the "educational wilderness."⁴⁶ Finally, the Minority Report conclusion that "no grant plan based on expenditure can achieve equality either between or among public and separate boards" failed to address the exacerbated gulf that had continued to separate the two systems over the course of the decade.⁴⁷ While Catholics had been assuaged over the repeal of the school tax law amendments in 1937 with the promise of increased educational grants, George Drew's victory in 1943 continued the precedent established in 1900 of rewarding the wealthy and punishing the poor. In the years leading to the release of the Report separate schools continued to lose out, year after year, on the theoretical grant that, if dispensed according to the provisions of the original *Separate Schools Act*,

⁴⁵ Ibid., p. 800.

⁴⁶ Ibid., p. 787.

⁴⁷ Ibid., p. 791.

should have seen them awarded on the basis of school attendance (Table E.1).

**Table E.1 Legislative Grants to
Public and Separate Schools
1940-1948**

| Year | Total | PS Grants | SS | % of | *BNA | BNA | SS Impact (\$) +/- |
|------|------------|------------|-----------|-------|-----------|-------|-----------------------|
| | Grants | (\$) | Grants | Total | Allotted | % of | |
| | (\$) | | (\$) | Grant | SS Grant | Total | |
| 1940 | 4,734,640 | 3,655,340 | 1,079,300 | 22.79 | 896,482 | 18.93 | 182,818 |
| 1941 | 5,288,707 | 4,174,812 | 1,113,895 | 21.06 | 1,070,012 | 20.23 | 43,883 |
| 1942 | 5,592,708 | 4,371,610 | 1,221,098 | 21.83 | 1,088,608 | 19.46 | 132,490 |
| 1943 | 6,117,516 | 4,866,215 | 1,251,301 | 20.45 | 1,202,901 | 19.66 | 48,400 |
| 1944 | 6,755,831 | 5,438,240 | 1,317,591 | 19.50 | 1,311,626 | 19.41 | 5,965 |
| 1945 | 17,800,960 | 15,413,695 | 2,387,265 | 13.41 | 3,489,166 | 19.60 | -1,101,901 |
| 1946 | 19,406,061 | 16,782,469 | 2,623,592 | 13.51 | 3,950,940 | 20.36 | -1,327,348 |
| 1947 | 19,480,861 | 16,891,611 | 2,589,250 | 13.29 | 3,625,020 | 18.61 | -1,035,770 |
| 1948 | 18,895,961 | 16,362,592 | 2,533,369 | 13.40 | 3,688,375 | 19.52 | -1,155,006 |

*BNA Allotted SS Grant: These figures represent the amount of legislative grants that would have gone to the separate schools if distributed according to average school attendance from the preceding school year, as per the 1863 *Separate Schools Act*. They are based on a ratio of average school attendance for each year indicated.

Source: Adapted from the "Report of the Minister of Education for the Province of Ontario, 1941-1949."
Calculations are mine

The period following the submission of the Hope Commission Report would mark a new epoch for the separate schools of Ontario. The virtual shelving of the Commission's findings by Drew's successor, Leslie Frost, inadvertently gave new life to the separate schools. Continued tweaking of the educational grants policy by the Conservatives and the expansion of separate school programs through to the Intermediate Level drove the push for "completion funding" in the second half of the twentieth century. While lay-Catholic activism, it seemed, was no more, it would be replaced by what Franklin Walker has called the "era of quiet diplomacy" for Catholic education. The grave markers at Mount

Hope Cemetery in Toronto, however, bearing the names of Quinn, Day, O'Connor and McGuire, and countless others of the faithful, were muted testimony to another time in the political life of Ontario. A time when the school tax question had ranked among the leading issues in the province, and when the Catholic Taxpayer's Association had given the laity both a role and a voice in striving for its resolution.



MITCH~

"I HAVE NEVER AT ANY TIME DISCUSSED
THE SCHOOL QUESTION WITH
SENATOR FRANK O'CONNOR"

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