

*First.* If, to make a very unlikely supposition, the case should turn out in the manner the most favorable to the French, namely, if after appeal to the Judicial Committee of the Privy Council, it should be decided that the French of Ontario have a constitutional right to French schools, and that Instructions 17 violate that right, then the case for separation presented in another part of this pamphlet would be complete. Political expediency could no longer be invoked to prevent the just separation of English Separate Schools and Bilingual Separate Schools. The English speaking Catholics of Ottawa would be thoroughly satisfied with such a result, as it would make their schools functionally and financially independent of the French—a solution they have advocated ever since 1886. For certainly, if the French have a constitutional right to French schools, they could claim the exercise of that right only if they are willing to pay for their schools.

*Secondly.* In any case, Judge Lennox is bound by the recent decision of Judge Falconbridge in the Green Valley Case, namely that Instructions 17 are *intra vires*. He also must so rule. So it would be some months, and perhaps much longer, before his decision could be reversed by a higher court. In the meanwhile, the Instructions have a binding force and should be obeyed by the French. They will have to be obeyed in Ottawa or the Board will involve itself in grave legal obligations. *On no grounds can a further defiance of the government be justified.*

*Thirdly.* Should, however, that which is extremely probable happen, and Instructions 17 be upheld in all courts as legal and binding, then the French trustees and their supporters should not merely obey those regulations, but should respect the natural scholastic rights of English speaking Catholics. This involves a return on the part of the School Board to the essential features of the Separation Compact of 1886. A new compact is necessary, as perfect as possible, which will ensure to the English speaking Catholics of Ottawa complete control, functional and financial, of their own schools. If for political reasons, this cannot be obtained from Toronto, it can be arranged as before by by-law of the Board in Ottawa.

*Fourthly.* Should the French priests and trustees continue to refuse to agree to any compact, they should be compelled to agree by ecclesiastical authority. A bishop is bishop not merely of the taxpayer, but also of the trustee. An English speaking Catholic can be obliged in conscience to support the Separate Schools of Ottawa, only as long as they are conducted as Catholic schools. Were, for example, the following silly un-catholic resolutions to be put into effect, the English speaking Catholics of Ottawa would find themselves deprived of English Catholic schools by aggressive French Nationalists. If that were not stopped either by the courts, or by the Department of Education, or by the Archbishop of Ottawa, then the English speaking Catholics would have to leave the Separate Schools, which in this event would have ceased to be Catholic schools and become merely racial or French schools. Such a catastrophe cannot be entertained by anyone, who has the interest of Catholic primary education in Ontario at heart.

The following are the resolutions referred to: (They were passed at the meeting of the Ottawa Separate School Board of June 10, 1914.) "That the Chairman of the Board be and is authorized to dispense with all or any of the lay teachers at present employed by the Board, upon proper notice being given to such teachers. And that the Chairman be also authorized, in the event of so dispensing with such lay teachers, to retain the services of such other teachers as may be qualified to teach in the schools under the control of the Board, in accordance with the requirements of the situation which may result from the maintenance of the Injunction proceedings and the upholding of regulation No. 17." A resolution was passed terminating the leases for the annexes, and then the following was passed: "That, whereas, if regulation No. 17 be enforced the French speaking pupils will find it to their advantage to attend the English schools, and whereas this will necessarily make the schools bilingual with bilingual teachers, and whereas these changes will require new arrangements of the classes and of the areas supplying the pupils to each school, Be it resolved that a local inspector be employed by the Board to organize the schools, the classes and the teachers, and also to fix the areas for each school to meet the difficulties, if regulation No. 17 be enforced." This resolution was like the others, vigorously opposed by the six English trustees, but voted through by the bilingual majority. Any doubt as to the intent of these resolutions is dispelled by the declarations made by Trustees Genest and Freeland in the *Citizen* of that same day