

law taking away some of the rights so granted. "If such legislation," said Mr. Laurier, "were to be enacted by the legislature of Quebec, is there a man to say that it would not be an infamous act of tyranny." Speaking of the possibility of an appeal by the Protestant minority to parliament, he said: "If under the circumstances an appeal were brought to this government is there a man in this house who would not say at once to the government, it is your bounden duty at once to interfere and make away with this obnoxious and tyrannical legislation."

It is true that Mr. Laurier referred to the contention raised in some quarters that the public schools of Manitoba are really Protestant schools. He said that if this were true it intensified the wrong, and he called upon the government to enquire into the fact. I have shown however that the question whether the schools of Manitoba were Protestant or not was not the real issue. The privileges that the Protestant and Catholic minorities respectively were entitled to preserve, as Sir Alex. Galt put it, were the privileges necessary for maintaining their own separate schools. And while it is true that in the Barrett case the English judges said that the schools created by the Manitoba law were not Protestant, the same judges, in the appeal case, held that by the act of 1890 the Catholics of Manitoba are not only deprived of their own schools, but are compelled to maintain schools "which they regard as no more suitable for the education of Catholic children than if they were distinctly Protestant in their character." This is to say, whether the public schools of Manitoba can properly be called Protestant or not Roman Catholics at all events regard them quite as unsuitable for the education of their children as if they were distinctly Protestant. It was because of this fact that the judges came to the conclusion that, "It does not seem possible to say that the rights and privileges of the Roman Catholic minority which existed prior to 1890 have not been affected."

Apart from the fact that the provision for appeal to Ottawa was put in the constitution at the instance, and for the protection, of the Protestants of Quebec, there is another most interesting fact which should not be lost sight of. The Protestant minority of Quebec were the first to avail themselves of that provision and to appeal to federal powers against provincial

legislation. About 1888 an act was passed by the legislature of Quebec against which the Protestant minority protested, because, as they contended, it affected rights which they enjoyed under the laws passed by the province since the union. A petition appealing to Ottawa was sent in signed by about 1,500 Protestants of the province, and it was supported strongly by the Protestants of Ontario. The position then taken by the supporters of the petition, in both provinces, was that the right of appeal to Ottawa for remedial legislation must be upheld at all hazards. The Rev. Principal Caven, of Toronto, now so prominent in condemning federal interference in Manitoba, circulated an address over his own signature containing the following language:

"The right of appeal to the governor-general which minorities at present have must remain. Nay the entire Dominion is the proper guarantee for equality of dealing on the part of provinces with the adherents of the various churches."

Even Mr. Dalton McCarthy at that time used this language in the House of Commons: "The duty and power—because where there is a power there is a corresponding duty—are cast upon the Governor-in-Council to revise and review the acts of the legislative bodies."

Mr. Sifton once stated in the local legislature that the government at Ottawa had refused to entertain this appeal of the Quebec minority, and he contrasted that action with the conduct of the same government in entertaining the Manitoba appeal. Mr. Sifton was under a strange misapprehension as to the facts. The truth is that the government of Sir John Macdonald received and dealt with the Quebec appeal just as it did with the appeal from Manitoba. A day was appointed for the appeal being heard, and notice thereof was transmitted to the Quebec government and to the council for the Quebec minority. That was exactly the course taken in the case of Manitoba. The attention of the Quebec government was drawn to the complaints of the minority. I do not now recall the exact terms in which this was done, but I understand the hope was expressed that the Quebec legislature would itself enquire into the alleged grievance and furnish a remedy for any wrongs. That was exactly the course taken in the case of Manitoba. Here, however, the parallel between the two cases ends. The reply of the Manitoba government was that the