The attacks on them probably misled more of the electors than the attacks made on our subsequent amendments, which I shall now notice more briefly.

AMENDMENT OF 1881—LANDLORD AND TENANT.

The next amendment now assailed was passed in 1881, eight years ago. The occasion for it was this. The law as it stood at the time of Confederation enabled a Roman Catholic proprietor or tenant to become exempt from Public School rates, but omitted to provide what the rule was to be in case of the landlord and tenant not being of the same creed, and this point was in more or less doubt. By law property is, for general purposes, assessable and assessed against both the landlord and the tenant. Where by the agreement between them the landlord is to pay the taxes, his tenant pays him so much more rent; and thus in all cases, either by express law or in fact, the tenant pays the taxes; and in general it is the tenant's children who are to go to school. It was therefore considered that where the tenant and the landlord were not of the same faith, it should be for the tenant to say whether the rates should go to the Public School or the Separate School.

Then came a second question. A landlord may be compelled to pay the rates of a defaulting tenant, and the landlord may be a Protestant, while the defaulting tenant is a Roman Catholic, or vice versa. To meet such cases, it was enacted that "in any case where as between the owner and tenant or occupant the owner is not to pay taxes, if by the default of the tenant or occupant to pay the same the owner is compelled to pay any such school rate, he may direct the same to be applied to either Public or Separate School purposes." This provision puts Protestant landlords and Roman Catholic landlords in such cases precisely on the same footing, which is surely just and reasonable. The whole clause as passed in 1881 is as follows:—

"To remove doubts it is hereby declared that in any case when under the eighteenth section of the Assessment Act land is assessed against both the owner and occupant, or owner and tenant, then such occupant or tenant shall be deemed and taken to be the person primarily liable for the payment of school rates and for determining whether such rates shall be applied to Public or Separate School purposes, and no agreement between the owner or tenant as to the payment of taxes as between themselves shall be allowed to alter or affect this provision otherwise; and in any case where, as between the owner and tenant or occupant, the owner is not to pay taxes, if by the default of the tenant or occupant to pay the same the owner is compelled to pay any such school rate he may direct the same to be applied to either Public or Separate School purposes."