

of the Crown showing their views upon certain parts of the Act; (4) the position of Post-Confederation legislation; (5) section 93 of the British North America Act; (6) the text of the Separate School Act at the time of Confederation, with references indicating the time of the amendments; (7) a memo by the late Dr. Egerton Ryerson, making comparisons between the Acts 1867 and 1855; (8) the later amendments; and (9) a summary of the Separate School Act of 1897.

The reader should be prepared to study the pamphlet with some care. A cursory reading will not give the information that it contains. Something more than a glimpse at it is necessary to make it of value in understanding the question thoroughly; and as this is the intention of the publication, it is hoped that it will be treated in the way suggested.

At the regular quarterly meeting of the County Orange Lodge of Toronto, held on the 26th day of April 1905, a special committee was appointed to prepare a report giving a synopsis of the Confederation Act, in so far as it relates to sectarian education in Ontario, and also to prepare a synopsis of all the legislation by the Ontario Legislature granting special privileges to sectarian schools since Confederation.

The committee met and organized in due course, and after general discussion a memorandum on the subject was prepared and submitted to a meeting of the committee on the 23rd day of January, 1906, and adopted as the report of the committee.

The memorandum is as follows:

The charter of "denominational schools" in the Provinces of Ontario and Quebec is contained in the 93rd section of a statute of the Parliament of Great Britain and Ireland (30-1 Vict. (Imp.) c. 3), known as "The British North America Act, 1867," which was enacted on the 29th day of March, A. D. 1867, and came into operation, as law, on the 1st day of July, 1867. For fuller reference the complete section is set forth in the appendix hereto, but it is sufficient to say generally that with the exceptions and qualifications therein contained, the authority to make laws in relation to education in any Province of Canada was conferred exclusively upon the Legislature of such Province, with the limitation that "nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the Province at the Union" (See sub-sec. 1.)

The "Union" referred to was proclaimed by her late Majesty Queen Victoria in Council on the 22nd day of May, 1867, to take effect, as previously stated, on the 1st day of July, 1867.

For the purposes of the enquiry in hand it is necessary (1) in order to know what rights or privileges "with respect to denominational schools," which any class of persons had by law in the Province of Ontario at the Union that a precise examination of the laws in effect upon the 30th day of June, 1867, in Upper Canada (as the Province of Ontario was up to that time called), should be made,