

there was no Catholic among the law lords who gave that judgment. At page 8 of the pamphlet which has been distributed, I find this language :

The establishment of a system of public education in which both parties would concur was probably then in immediate prospect. The legislature of Manitoba first met on the 15th March, 1871. On the 3rd of May following, the Education Act of 1871 received the royal assent. But the future was uncertain. Either Roman Catholics or Protestants might become the preponderating power in the legislature, and it might under such conditions be impossible for the minority to prevent the creation, at the public cost, of schools which, though acceptable to the majority, could only be taken advantage of by the minority on the terms of sacrificing their cherished convictions. The change to a Roman Catholic system of public schools would have been regarded with as much distaste by the Protestants of the province as the change to an unsectarian system was by the Catholics.

And then their lordships of the Judicial Committee of the Privy Council deal with another argument of the hon. gentleman as to provincial rights.

Before leaving this part of the case, it may be well to notice the argument urged by the respondent that the construction which their lordships have put on the second and third subsections of section 22 of the Manitoba Act is inconsistent with the power conferred upon the legislature of the province to "exclusively make laws in relation to education." The argument is fallacious. The power conferred is not absolute, but limited. It is exercisable only "subject and according to the following provisions." The subsections which follow, therefore, whatever be their true construction, define the conditions under which alone the provincial legislature may legislate in relation to education and indicate the limitations imposed on, and the exceptions from their power of exclusive legislation. Their right to legislate is not, indeed, properly speaking, exclusive, for in the case specified in subsection 3, the Parliament of Canada is authorized to legislate on the same subject. There is, therefore, no such inconsistency as was suggested.

Then, on page 9, the Judicial Committee deal with the ground taken by the hon. gentleman, that the minority have no grievances—

Contrast the position of the Roman Catholics prior and subsequent to the Acts from which they appeal. Before these passed into law, there existed denominational schools, of which the control and management were in the hands of Roman Catholics, who could select the books to be used and determine the character of the religious teaching. These schools received their proportionate share of the money contributed for school purposes out of the general taxation of the province, and the money raised for these purposes by local assessment, was, so far as it fell upon Catholics, applied only towards the support of Catholic schools. What

is the position of the Roman Catholic minority under the Acts of 1890? Schools of their own denomination, conducted according to their views, will receive no aid from the state. They must depend entirely for their support upon the contributions of the Roman Catholic community, while the taxes out of which state aid is granted to the schools provided for by the statutes fall alike on Catholics and Protestants. Moreover, while the Catholic inhabitants remain liable to local assessment for school purposes, the proceeds of that assessment are no longer destined to any extent for the support of Catholic schools, but afford the means of maintaining schools which they regard as no more suitable for the education of Catholic children, than if they were distinctly Protestants in their character.

It is not necessary for me to deal further with the speech made by the hon. gentleman from Shell River, so far as it relates to the matter of schools. I think he is sufficiently answered by the judgment of the Judicial Committee of the Privy Council. I presume the hon. gentleman will not say that that is either a prejudiced or incompetent tribunal. Leaving the speech of the hon. gentleman, I may say that with respect to this Manitoba school case, there is very little said in His Excellency's speech. The paragraph says :

We thank your Excellency for informing us that, in conformity with a recent judgment of the Lords of the Judicial Committee of the Privy Council, to the effect that the dissentient minority of the people of Manitoba have a constitutional right of appeal to the Governor General in Council against certain Acts passed by the legislature of the province of Manitoba in relation to the subject of education, your Excellency heard in Council the appeal, that your decision thereon has been communicated to the legislature of the said province, and that the papers on the subject will be laid before us.

Now that is a very non-committal and purely harmless sort of paragraph ; but while there is very little said on that subject in the speech made by His Excellency to Parliament, a great deal has been said on the platform and in the press. The hon. Minister of Justice came down to the province of Nova Scotia and went into the county of Antigonish, a county which is almost altogether Catholic, where five-sixths of the voters are Catholics, and he told the people that this question of the Manitoba schools was the great question for the electors. The hon. Minister of Public Works, I understand, went into the county of Verchères and talked very much in the same way. Hon. gentlemen will see what the position is with respect to this Manitoba school question. I shall ask leave to read two or three more extracts from this pamphlet ; and I