of the school sections, and with reference to the school books and so forth, the board was deprived of authority on the later occasion. It was a very remote argument. The Roman Catholics were well aware that the appeal in this case was not to be a technical appeal, and unless they could prove substantial injustice they could not get redress. And to say that because when the population was about equal, the whole of the legislation was based on the theory of equality—twelve Roman Catholic school districts and twelve Protestant school districts—and the school rate equally divided because the school population was equally divided, it would be a substantial iniquity to recognize the later and changed conditions, and to make true equality continue by a division of the rate in proportion to the population, which was the actual result realized originally would have been a pretension, which before a political tribunal, such as the Governor in Council or the Parliament of Canada, would, of course, have met with no favour whatever. Therefore I am not surprised that these amendments passed, not merely without remonstrance or appeal on the part of the Roman Catholics, but without objection in the legislature as far as we know. We do not know that they caused any commotion, or that there was any dissent from these changes. They appear to have passed with general consent and assent, still they altered the conditions so far as the whole community was concerned, so as to make them agree with the altered conditions as to population of that community ; they were in truth framed to continue in the same relation and in the same circumstances, the specific rights of the minority.

There was, as I have said, one observation I wished to make, and that is that I venture to suggest to your Lordships that the sixth question requires a determination whether there were any rights or privileges created for the minority under these intermediate statutes, and whether any such rights or privileges have been infringed, and that is a question which arises, not upon any evidence, but upon a comparison of the two statutes, and must be in this sense a question of law, that it is fit for the determination of a legal tribunal. Your Lordships have before you one law, which provides one state of things. You have before you another law which it is alleged alters that state of things injuriously to the minority.

The Lord CHANCELLOR.—Having in view the contention of the respondents, it does show that there is a question of law.

Mr. BLAKE.—Yes.

The Lord CHANCELLOR.—Their contention is that supposing the question is whether rights and privileges are affected, they are not affected, because there were no rights of the minority within the meaning of the section.

Mr. BLAKE.—Quite so.

Lord SHAND.—I understand the rights you refer to aré these, that about the books, and that about the assessments.

Mr. BLAKE.—I go further than that. I find a system under which there are facilities for organizing, maintaining and regulating our schools by law, and as an incident to that system, there are compulsory rates for our schools and immunity from other school rates ; and also as an incident to that system a right to obtain certain grants.

Lord SHAND.—When you talk about the system does it go much deeper than what I have been now saying on the organization of the schools. It goes that depth also.

Mr. BLAKE.—Quite so.

Lord SHAND.—It goes this depth. You find that they had during that period state schools, which were denominational schools.

Mr. BLAKE.—Yes, I find a system of state schools supported by the Catholic minority——

Lord WATSON.—Supported by state money.

Mr. BLAKE.—Supported partly by state money and partly supported by money levied on the Roman Catholic minority.

Lord WATSON.—What struck me in the discussion is the point about the assessment of rates and the books.

Mr. BLAKE.—Of course that does include the action of the bodies which have the right to " strike " the rate, and the authority to regulate the schools—the board and the school trustees.