

right or privilege with respect to denominational schools which any class of persons had by law or practice at the Union should be prejudicially affected.

It became necessary, therefore, to determine with exactness, what right or privilege Roman Catholics had by law or practice at the Union. In the judgment of the Privy Council Lord Macnaghten said: "Their Lordships are convinced that it must have been the intention of the legislature to preserve every legal right or privilege, and every benefit or advantage in the nature of a right or privilege with respect to denominational schools, which any class of persons practically enjoyed at the time of the union. What then was the state of things when Manitoba was admitted to the union? On this point there is no dispute. It is agreed that there was no law or regulation or ordinance with respect to education in force at the time. There were, therefore, no rights or privileges with respect to denominational schools existing by law." Then, as to rights or privileges existing by "practice," it is said that, "The protection which the act purports to extend to rights and privileges existing 'by practice' has no more operation than the protection which it purports to afford to rights and privileges existing by law." That is to say, by practice voluntary schools were maintained at the sole expense of those desiring them for the purpose of combining with secular studies the teaching of each denomination which chose to establish a school in accordance with its peculiar form of faith. No more, no less. Their Lordships then proceeded to show that the School Act of 1890 did not interfere with this right to maintain voluntary schools; it left Roman Catholics and every other religious body in Manitoba free to establish schools throughout the Province, and to conduct them according to their own religious tenets; and to compel no child to attend a public school. No right or privilege to be free from taxation for public purposes existed, and therefore none was infringed by levying taxes on all persons alike for the maintenance of the public schools under the Act of 1890. If a Roman Catholic was obliged to submit to payment of taxes and at the same time could not conscientiously send his children to the public school, it was not the law which was at fault; it was owing to religious convictions, which all must respect, that Roman Catholics found themselves unable to partake of advantages which the law offered to all alike. So the Act was held not to interfere with or prejudicially affect any right or privilege which Roman Catholics had at the time of the Union, either by law or by practice, and, consequently, it was a valid enactment and must be obeyed.

It is therefore seen that the author of the clause restricting rights or privileges existing by law or practice at the Union misconceived his ground and the effect of the enactment; or, if a "practical politician," he showed the utmost astuteness in making a promise to the ear and breaking it to the hope. No exclusive rights or privileges existed. There were but those enjoyed by every one at large, namely, the right to establish and maintain voluntary schools. And as this right was not impaired by the Public School Act of 1890 that Act was perfectly valid.

This closes the first chapter in the history of the case. The interested persons had, however, another opportunity. An appeal lay to the Governor-General in Council; and with that proceeding I propose to deal in a following paper.

EDWARD DOUGLAS ARMOUR.

* * *

False Friends.

To love, and lose by death, is not all loss,
Sang the great bard, who died, and left no peer.
Our lost love may be found, when we shall cross
One day, Death's threshold, through the Gates of Fear.

But to have proved the friend we prized untrue,
To see estranged the one more loved than life;
This wrings a strong heart as nought else can do,
And gives its foes a vantage in the strife.

The noblest hearts most feel that pain of pains—
That pang no solace ever has allayed;
The Book of Life no crueller tale contains,
Than that condensed in the one word—betrayed.

REGINALD GOURLAY.

Pew and Pulpit in Toronto.—XIV.*

AT THE UNITARIAN CHURCH, JARVIS STREET.

Rev. H. H. Woude, the minister of Jarvis Street Unitarian Church, has the look of a foreign professor, say from Germany, so that you are surprised, when he begins to speak, at the good English in which he expresses himself. He is a tall, spare, and rather distinguished looking man, who looks keenly at the world through spectacles; has a stern expression generally—capable, however, of modification by an engaging smile; an olive complexion; very dark hair, which is thin at the top and bushy at the back of his head, the sparse but adequate moustache and beard of a Nazarene, and an aspect of intense earnestness. Two principal aspects of the man manifest themselves in his preaching, which I should imagine is never careless, and generally worth listening to. They are the antagonistic and declamatory, and the pathetic, and what, for want of a better word, I must call the sentimental. In both he conveys the impression of deep and pervading feeling. In the first he "goes for" his imaginary opponent with the tremendous energy of a Boanerges; in the second his stern voice sinks into the soft pathos which one associates with a John. Keenly sensitive, and of the temperament which is called nervous-bilious, there is about his ministrations nothing of the perfunctory, and nothing to lull one into repose. He preaches a doctrine of the all-pervading and omnipotent love of God in the tones of a "dying man to dying men"—to use the old-fashioned evangelical phrase. People who want to go to sleep and be comfortable, therefore, need not go to the Unitarian Church. Mr. Woude's is not the calm and restful nature which one associates with such words as "God is our refuge and strength, a very present help in trouble." You expect him rather to say, in his vibrant and aggressive voice, "Sound an alarm!" Neither is he the quiet, philosophical, judicial, logical exponent of the particular views he expounds, who impassively puts his case before you and leaves you to judge. On the contrary, every sentence burns with the impassioned emphasis of the advocate, whether expressed by forcible declamation or by the suppression, to quietness, of the spirit that drives him onward. These characteristics, it may be supposed, sometimes prevent him from putting himself *en rapport* with his audience. Instead of playing upon them like an instrument, he will be rather the speaker of prophetic utterances, "whether men will hear or whether they will forbear." In which, perhaps, I indicate what I conceive to be the weak point of Unitarianism, which is, I take it, that to a determination to seek after the truth wherever it leads, it adds but an insufficient and partial insight into human nature. Unitarianism can claim as belonging to it some of the most distinguished intellects and purest souls that have blessed the world. Saving a slight touch of intolerance towards those who differ with it, and which is perhaps common more or less to all faiths, it presents to the world a plausible and reasonable sort of religion, the basic principles of which are the Fatherhood of God and the brotherhood of mankind. That this is no mere talk is exemplified in the lives of Unitarians wherever they are found. Yet the fact remains that there are only about 68,000 Unitarians in the United States and perhaps a thousand in Canada. I note that in a recent issue of the New York *Independent*, which gives the numerical standing of the various churches, side by side, with a short statement by a prominent minister of each denomination. Rev. Edward Everett Hale, D.D., a deservedly popular Unitarian, says:

"Almost any Unitarian would tell you that the practical creed of every-day laymen in all the Protestant Churches of America is Unitarian. We really believe that it is only the clergy of the Evangelical Churches who believe in the doctrines of the Westminster Confession. For the rank and file we really think that their religion would be summed up in the statement that they believe in God and worship him, that they believe in Heaven and hope to go there, and that they try to

* The articles which have already appeared in this series are:— I. Sherbourne Street Methodist Church, Feb 22nd. II. The Jews' Synagogue, March 1st. A proposed visit that was stopped by fire, March 8th. IV. The Roman Catholic Cathedral, March 15th. V. St. James's Cathedral, March 22nd. VI. The Bond Street Congregational Church, March 29th. VII. Jarvis Street Baptist Church, April 5th. VIII. St. James' Square Presbyterian Church, April 12th. IX. At the Church of S. Simon the Apostle, April 19th. X. Rev. W. F. Wilson at Trinity Methodist Church, April 26th. XI. Rev. Wm. Patterson at Cooke's Church, May 3rd. XII. St. Peter's Church, Carleton Street, May 10th. XIV. At The Friends' Meeting House, May 17th.