

and Civil Rights comprised in the Enumeration of the Classes of Subjects by this Act assigned exclusively to Provincial Legislation.

Legislation
respecting
Education.

39. In each Province the Superintendent may, by and with the Advice and Consent of the Provincial Assembly, make Ordinances in relation to Education in the Province, subject and according to the following Provisions :

- (1.) Nothing in any such Ordinance 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 :
- (2.) All the Powers, Privileges, and Duties for the Time being by Law conferred and imposed in Upper Canada on the Separate Schools and School Trustees of Her Majesty's Roman Catholic Subjects shall from Time to Time be extended to the Schools of Her Majesty's Protestant and Roman Catholic Dissentient Subjects in Lower Canada :
- (3.) Where in any Province a System of Separate or Dissentient Schools for the Time being exists by Law, an Appeal shall lie to the Governor General in Council from any Act or Decision of any Provincial Authority affecting any Right or Privilege of any Class of Persons in relation to Education :
- (4.) In case any such Provincial Ordinance as from Time to Time seems to the Governor General in Council requisite for the due Execution of the Provisions of this Section is not made, or in case any Decision of the Governor General in Council on any Appeal under this Section is not duly executed by the proper Provincial Authority in that Behalf, then and in every such Case, and as far as the Circumstances of each Case require, the Power of the Parliament of the United Colony to make Laws in relation to Education shall, notwithstanding anything in this Act, be unrestricted.

40. Not-