

Mr. BLAKE.—No, my Lord, I do not know how many there were ; there were very few. My friend, Mr. Ewart, who knows, says about 15,000 ; of course that excludes Indians.

Lord MACNAGHTEN.—Yes, 15,000 of each.

Mr. BLAKE.—No, my Lord, I think—I think it was only 11,000 or 12,000 altogether ; but he says 15,000 altogether.

Lord MACNAGHTEN.—I thought the Catholics were rather in the majority at that time.

Mr. BLAKE.—My friend is not able to say. We know that they were about equal, but which had the slight majority we are not able to tell your Lordship, but it was quite palpable that that condition of things was a temporary condition, and would be changed in one obvious direction. So thought all those who had great expectations of the rapid settlement of the country, and therefore the future there certainly offered even more cause for anticipatory provision than the case of the old provinces.

Now, I do not know that my duty is to detain your Lordships at any length in reply.

Lord SHAND.—I think your argument anticipated all the points that have been put.

Mr. BLAKE.—There was just one single observation that I desired to make in reference to a suggestion made by one of your Lordships.

Lord WATSON.—I do not think there was any part of the argument which was not anticipated, with the exception of one point. I do not know how far you think it necessary to deal with it, and that was the suggestion last made that a particular right or privilege, or a condition of matters which was created in favour of all the community could not be resolved into a privilege or right of the majority at the time when it was created who had become the minority under the new legislation.

Mr. BLAKE.—Before answering your Lordship's question, I have just had a book put into my hands which shows that my recollection was nearly correct. "The population of the Red River Settlement in 1870 was composed of 2,000 whites, 5,000 English half-breeds, and 5,000 French half-breeds," making 12,000 as the population in 1870.

The Lord CHANCELLOR.—The French half-breeds were presumably Catholics and the English half-breeds were probably Protestants, and the whites might have been some of one and some of the other.

Mr. BLAKE.—The English half-breeds would be partly Protestants and partly Catholics. I should gather that there was probably a slight preponderance of Catholics.

Lord WATSON.—You must make some allowance for those who were indifferent.

Mr. BLAKE.—Then, my Lord, I own that I think my learned friend's suggestion, to which Lord Watson has directed my attention, has no value unless you apply it in the concrete ; in the abstract it has no value. What is your system ? The legislature is always legislating presumably for the benefit of the whole community. Even although it legislates in respect of a part of the community it legislates in respect of that part in accordance, as it believes, with the interest of the whole, and when the legislation comprehends the whole it still may be of a character which specially affects part, by recognizing a division of the whole into parts and by granting rights and privileges to parts of the community. My learned friend has not been able to show by any arguments appreciable by a less subtle intellect than his own that there were not rights and privileges of the Roman Catholic minority accorded to it by this legislation.

Lord WATSON.—I think under these Acts that it is obvious that they are referring to what are considered by these parties to be privileges.

Mr. BLAKE.—Yes, my Lord. Of course your Lordship must remember that it is their judgment which is to prevail.

Lord WATSON.—Privileges conferred by Acts of Parliament sometimes ——

Mr. BLAKE.—Yes. It may be *damnosa hereditas* ; but they wanted denominational schools, and those denominational schools were considered a privilege. Their right to be separated in respect of education is a presumable privilege which they were certainly granted by this law, and that has been removed. I may add this. My learned friend suggested that the board under the last of the Acts was differently constituted, and yet there had been no appeal ; but it is quite clear that both with reference to the division