for certain religious exercises, is *most unjust to the Roman Catholics*. If the state is to recognize religion in its school legislation, such a recognition as is acceptable to Protestants only, and in fact only to a majority of Protestants, *is to my mind rank tyranny*."

Such as it is, however, "rank tyranny" and all, the act has been passed, the wrappings are evidently slipping, and the strength of those little words "or practice" must be brought to the test. Lawyers are employed and are told that there can be no doubt what was meant by the provincial charter; that those who negotiated its terms are still living and will testify; that if the language be dubious, a reference to the Hansard debates, and the votes and proceedings, will show what was intended by every one. Lawyers answer that no inquiry into such matters can be permitted; that such matters might be useful to laymen; that lawyers, by their rules, are prohibited from looking anywhere but at the statute itself; that the rules must be maintained; and that that which is plain and well known to everybody else must remain obscure and unknown to them. Justice, thus well blinded, proceeds to make her award. Inferior Court says that the act is good, and within the competence of the legislature. Superior Court says the same, one-third of it (taking possibly a surreptitious look) dissenting. Supreme Court says unanimously that the act is bad and *ultra vires*, rights and privileges enjoyed by *practice* at the time of the union having been prejudicially affected. Supremest Court (the British Privy Council) says that they have not been affected, and that the act is perfectly competent—three rounds out of four, and the victory to the St. Francois Xavier statute.

The wrappings are off, then, and the ghost again at large. As for the new device, "or practice," it has proved to be completely useless. Supremest Court says as follows:

"Now, if the state of things which the Archbishop described as existing before the union, had been a system established by law, what would have been the rights and privileges of the Roman Catholics with respect to denominational schools? They would have had by law the right to establish schools at their own expense, to maintain their schools by school-fees or voluntary contributions, and to conduct them in accordance with their own religious tenets. Every other religious body which was engaged in a similar work at the time of the union would have had precisely the same right with respect to their denominational schools. Possibly, this right, if it had been defined, or recognized by positive enactment, might have had attached to it as a necessary or appropriate incident, the right of exemption from any contribution, under any circumstances, to schools of a different denomination. But, in their Lordships' opinion, it would be going much too far to hold that the establishment of a national system of education, upon an unsectarian basis, is inconsistent with the right to set up and maintain denominational schools, that the two things cannot exist together, or, that the existence of one necessarily implies, or involves, immunity from taxation for the purposes of the other.

"Such being the main provisions of the Public School Act of 1890, their Lordships have to determine whether that Act prejudicially affects any right or privilege