

Nevertheless, on the 2nd February, 1891, it became known that the Barrett case had been lost in Winnipeg. The government having decided to go further the case was appealed to the supreme court in Canada, it was pleaded on the 27th and 29th May and judgment was rendered on the 28th October. The honorable judges, Sir W. J. Ritchie, Strong, Fournier, Taschereau and Patterson, rendered an unanimous decision and one favorable to Mr. Barrett. The orders of the court of Queen's bench, as well as the one of Hon. Judge Killam were put aside and reversed, the by-law declared illegal and the city of Winnipeg was condemned in costs. The decision surprised no one, it being generally expected.

The friends of the provincial government in Manitoba resorted to their imagination to find out a way of weakening the cause of the Catholics, they then imagined the case of Logan versus Winnipeg. This was not a test case, but a sham case; it was a scheme of lawyers resorted to merely to prejudice the Barrett case; it was all it was intended to do, without even taking into consideration the ridiculous position assigned thereby to His Lordship the Bishop of Rupert's Land in the estimation, at least, of those who are aware of the part taken by his lordship under the new school laws of Manitoba, as well as under the old regime. The judges thought proper to decide in conformity with the judgment recently pronounced by the supreme court. The government of Manitoba being at the same time applicant and respondent lost and gained its own case of Logan versus Winnipeg. It was a new source of embarrassment and is all what was expected from it.

The City of Winnipeg appealed from the decision to the privy council. An excess of confidence brought about an unfavorable issue and the Barrett case was lost before the judicial committee of the privy council. This was a surprise for everybody both winners and losers. The surprise may be diminished by the study of the manner in which the case was argued. The research of the lawyers on this point has been facilitated as the whole of the trial has been published in a partial report of the Federal session of 1893.

It would appear rash on my part to venture an opinion on a subject in which I cannot claim to be competent. I have, however, the right to say that I would have liked better that the Attorney General of England should have been replaced by some eminent Canadian lawyer who would have known Canada better as well in the details of the union of its provinces and also the condition of the entry of Manitoba into confederation. Whatsoever may have been the causes of the result the decision of the privy council was unfavorable on the one point; does it follow that we accept this

as a final solution? No, and I repeat what I have asserted on the first page of this historical compilation: "A question is solved only when it is settled with justice and equity," and that in spite of all subtleties and errors of language. Right is above law and equity above legality. I do not desire that the laws be resisted nor the decision of the court. I condemn such resistance in all cases but I claim the liberty of the children of God and that liberty allows us to resent what is contrary to justice. The martyrs of the primitive church offered their bodies to the torture and their heads to the block, but they were never heard proclaiming the laws of their persecutors as just and equitable, human authority is merely borrowed from Divine power and must harmonize with it. I wield but a weak pen in the services of our schools, but I have seen them under all their phases, and no human power, judicial or executive, will convince me that the Catholics of Manitoba and the Northwest are justly or honorably treated with regard to their schools.

People think that we should be satisfied because the public schools are said to be non-sectarian, and the privy council has pronounced them to be such. Their lordships have decided according to the text of the law as expressed in the statute book, but said nothing of what is going on here, nor of the decision of the advisory board. I have not the pretence of informing their lordships, but I may supply to my readers what is reported in public prints as received from authorized sources under the title:

"An Epoch in Masonry and Education."

The Catholics of Manitoba were laboring under the distress caused by the recent decision of the privy council, when the following occurrence took place. Mr. D. J. Goggin, then a member of the advisory board and principal of the Normal school of Winnipeg; the Hon. D. McLean, then minister of public instruction in Manitoba, and the Rev. H. L. Watts, Protestant pastor, thought proper to increase the sadness experienced by Catholics already wounded in their dearest convictions and sentiments; and gave at the same time a solemn contradiction to the affirmation of the privy council who had just declared that the public schools are not sectarian. Here is the text of the dispatch wired from Virden to Winnipeg:

"Virden, Aug. 16, 1892—"The corner stone of the new school building here was laid this afternoon with impressive Masonic ceremonies which were conducted by Grand Master D. J. Goggin. Besides the members of Lebanon lodge, a large number of visiting brethren were present from Oak Lake, Elkhorn and Moosomin. The ceremony was witnessed by 300 or 400 people. The grand master was assisted by Grand Senior Warden Lewin, of Moosomin, and the D. D. G. G. Rev. H. L. Watts. After the ceremony the grand master delivered an oration showing that Masonry was connected with intellectual