

the Manitoba charter is itself largely to blame. It says that, "An appeal shall lie to the Governor-General in Council." The appeal is in reality not to the Governor-General, but to the Parliament of Canada. The only function performed by the Governor-General is the preliminary one of deciding whether or not, in any particular case, a religious minority is to be permitted to appeal to Parliament. If this be true it would be altogether improper for the Governor-General, in granting leave to appeal, to limit the petitioners as to the extent of the relief that they were to ask, and in consequence to limit the jurisdiction of Parliament when dealing with the subject. The Governor-General then was right in permitting the petitioners to carry to Parliament their whole claim. To the objection that the phrasology was unnecessarily harsh and overbearing, it is sufficient to say that it follows the language of the statutes, and that if it had not done so it would not have been effectual for the purpose intended. In order that the Federal Parliament may acquire jurisdiction there must have been a formal and precise declaration of the Governor-General and a refusal by the Local Legislature to comply.

The Dominion Parliament was in session when the resolution containing the refusal of the Legislature reached Ottawa. The steps necessary to give to Parliament jurisdiction to restore to the Manitoba Catholics the rights and privileges taken away from them had now been completed, and it remained merely to introduce the bill and, if possible, to pass it. At this point the government hesitated. It was found impossible to remove the prejudice aroused by the form and phrasology of the Remedial Order. Many who either knew, or should have known better, declared that it was tyrannous, and should be superseded by something more conciliatory. Even many of the friends of the Catholics were misled in this way. The session, too, was far advanced, and the preparation and passage of a lengthy school act would necessitate a tedious prolongation of work to men already exhausted by the labors and heat of the summer. Among the members of the government, also, there was much difference of opinion. Some of the Catholic members insisted upon the immediate introduction of legislation. Some of the Protestant members were rigidly opposed to hasty action. Three Catholic ministers resigned in consequence of the disagreement, but two of them afterwards returned, and the government policy was announced as follows:

"Though there may be differences of opinion as to the exact meaning of the reply in question, the government believes that it may be interpreted as holding out some hope of an amicable settlement of the Manitoba school question on the basis of possible action by the Manitoba Government and legislature; and the Dominion Government is unwilling to take any action which can be interpreted as forestalling or pre-