it may be in a worse position. Now the opposite view lands my learned friends, I venture to think, in this difficulty——

The Lord CHANCELLOR.—You have not yet grappled with my difficulty, it is not touched by any observations you have made. It is true that the language of subsection 2 seems to indicate that the Act of the legislature which is to be the subject of the right of appeal is not that which affects the rights referred to in subsection 1, because the language is altogether different. Subsection 1 deals with affecting "any right or privilege with respect to denominational schools which any class of persons have by law or practice in the province at the union ;" subsection 2 in terms gives an appeal from "any Act of the legislature affecting any right or privilege of the Protestant or Roman Catholic minority of the Queen's subjects in relation to education." The words are different, presumably they mean a different thing. It is for you to show that they must mean the same. The onus is entirely on you when those wide words are used.

Lord WATSON.—There is not only a change in the language used, but whereas in subsection 1 the right and privilege referred to is a specific and limited right and privilege, in the other it is in the widest possible terms, "any right or privilege." There are no words of reference back to subsection 1.

The Lord CHANCELLOR.—You are asking us to limit very general wide words, and to construe them as if they were much narrower and applied only to the right referred to in the 1st subsection. Now, I do not say that in some cases there may not be arguments for saying that you must put, and that you cannot help putting, upon wide words a narrow meaning, but that meaning is only to be given if you are driven to it, if from some part of the Act you see that you cannot read it or give effect to it reasonably without doing so ; *prima facie*, however, you have the words, and that is the point you have to grapple with.

Lord WATSON.—You infer some coercive words into the Act which imply that a more limited meaning must be given,

Lord SHAND.—The words of subsection 2 are "affecting any right or privilege." That is very general, but then it is ' affecting any right or privilege of the Protestant or Roman Catholic minority." That is different language to the language of subsection 1.

Mr. COZENS-HARDY.—I am coming to that as a separate point, if your Lordship will pardon me.

Lord WATSON.—The limitation is in point of time in subsection 1 ; there is no limitation in point of time in subsection 2.

Mr. COZENS-HARDY.—The way I desire to put this to your Lordships is, that from the nature of the powers and from the context and from the reason of the thing, subsection 2 must be limited to an Act which infringes such a right or privilege as could not be touched by an *intra vires* Act, and I ask your Lordships to come to that conclusion, because in section 22 the exclusive power of making laws relating to education is given to the provincial legislature. I gather that the Canadian Parliament would have no power to pass a new Education Act : it could not do that.

The Lord CHANCELLOR.—Why not ?

Mr. COZENS-HARDY.—All it could do was to make remedial laws.

The Lord CHANCELLOR.—It is not given exclusively. It is given exclusively, " subject to the following provisions," and if you find the following provisions in certain cases enabled the Parliament of Canada to legislate, it seems to me that it means that so far it is not exclusive.

Mr. COZENS-HARDY.—But it is only " remedial laws for due execution of the provisions of this section."

The Lord CHANCELLOR.—That is if an Act has been passed which on appeal is thought to contravene rights which are intended to be protected, that is intended to enable the Dominion of Canada to pass, if the legislature of the province will not pass a law relating to education which will set that right.

Lord MACNAGHTEN.—If the authority of the Dominion Parliament is once properly invoked, what limit is there to their powers of remedying any mischief that has been created ?