

subject of Education and the rights of religious minorities in respect of education in the different provinces of Canada. This particular case comes before your Lordships thus:—As your Lordships are aware, besides providing a certain restriction upon the powers of provinces generally in the first instance, and by the Manitoba Act upon the powers of that province to legislate in respect of education, an Appeal under certain conditions, in certain circumstances against Acts of the Legislature or decisions of Provincial Authorities is granted to the Governor-General in Council. Such an Appeal was taken, and was pending in a sense, that is to say, it had been presented at the time the former Manitoba school case, *Winnipeg v. Barrett*, was before your Lordships, but its consideration by the tribunal which the law had created for the purpose of dealing with it had been deferred until the decision in *Winnipeg v. Barrett*, and it was so deferred upon the express ground that the decision in *Winnipeg v. Barrett* might render any consideration of that Appeal unnecessary, and that therefore the time for dealing with it would not arise until after that decision had been reached. There were various memorials or petitions making this appeal sent to His Excellency the Governor-General in Council. Those which had been before him were supplemented in the end by a further memorial, which is the memorial of Brophy and others, the memorial in respect of which more particularly this Appeal is brought.

Perhaps I may most conveniently introduce to your Lordships the considerations of the case by reading a paper, although I am glad to believe that the very full discussion which the former case has received has rendered it not necessary that I should enter so fully into many of the particulars as it was incumbent upon counsel to do on that occasion; yet this document to which I am about to refer your Lordships states succinctly—and I shall read only some extracts from it—what the condition of the case was upon which the Governor in Council acted, so far as he did act. At page 8 of the Case it begins. It is a report of a Committee of the Privy Council approving a Report of a Sub-committee of that Council, thus