

16th March, 1895), whether such was the law, and replied (see The Globe's report of the debate).

"Under the decisions of the Judicial Committee of the Imperial Privy Council (See *Winnipeg vs. Barrett* (1892) A. C. 437; 5 Cart. p. 32; 8 Times L. R. 745; *Winnipeg vs. Logan* (1892) A. C. 437; 5 Cart. p. 32, 8 Times 745; and *Prophy vs. the Attorney-General of Manitoba* (29 January, 1895), A. C. 202; 5 Cart. (156), the enactments of the Legislature of Ontario in regard to Separate Schools since Confederation can be repealed by this Legislature."

THE BRITISH NORTH AMERICA ACT, 1867.

30th and 31st Victoria, Chapter 3, Sec. 93.

In and for each Province, the Legislature may exclusively make laws in relation to education, subject and according to the following provisions:

1. Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the Province at the Union.

2. All the powers, privileges, and duties at the Union, by law conferred and imposed in Upper Canada, on the Separate Schools and School Trustees of the Queen's Roman Catholic subjects, shall be, and the same are hereby, extended to the Dissident Schools of the Queen's Protestant and Roman Catholic subjects in Quebec.

3. Where, in any Province, a system of Separate or Dissident Schools exists by law at the Union, or is thereafter established by the Legislature of the Province, an appeal shall lie to the Governor-General-in-Council, from any Act or decision of any Provincial authority affecting any right or privilege of the Protestant or Roman Catholic minority of the Queen's subjects, in relation to education.

4. In case any such Provincial law, as from time to time seems to the Governor-General-in-Council requisite for the due execution of the provisions of this section, is not made, or, in case any decision of the Governor-General-in-Council on any appeal under this section is not duly executed by the proper Provincial authority in that behalf, then, and in every such case, and as far only as the circumstances of each case require, the Parliament of Canada may make remedial laws for the due execution of the provisions of this section, and of any decision of the Governor-General-in-Council under this section.

CONSOLIDATED STATUTES OF UPPER CANADA.

CAP. LXV.—An Act Respecting Separate Schools.

Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

(Clauses 1 to 17 deal exclusively with Separate Schools for Protestant colored people. As these have no bearing on the question with which the pamphlet deals, it has been thought wise not to occupy space with them.)

18. Any number of persons, not less than five, being heads of families, or freeholders, or householders, resident within any school section of any township, or within any ward within any city or town, and being Roman Catholics, may convene a public meeting of persons desiring to establish a Separate School for Roman Catholics in such school section or ward, for the election of trustees for the management of same. 18, V. C. 131, S. 2.

19. A majority of the persons present, not less than ten in number, being freeholders, or householders, and being Roman Catholics,