

11th. By-laws passed by School Trustees concerning compulsory attendance to be first approved of by the proper section. (Sec. 101.)

12th. The Legislative school grant annually divided between the two sections upon the basis of their respective population of school age. (Sec. 34.)

Her Majesty's Roman Catholic subjects in Manitoba claim under the laws passed after the Union, as above summarized, the same rights and privileges in relation to education as have been claimed and specified in the preceding division under practice prior to Union, adding thereto the following:—

(a.) The right not only that they shall not be interfered with by the law in the sense that the law does not interfere with private enterprise not contrary to public order, but also to have a status before the law, or to hold under the law the essential powers for the carrying out of the principles aforesaid, whether such powers be vested in a Catholic section of education and Boards of Catholic Trustees as up to the present, or in other bodies equally representative.

(b.) The right for such Catholic School Districts as existed at the passing of the two Acts here complained of, to continue in their legal existence hereafter, with such powers as they possessed and subject to such regulation of the Catholic section as existed at the time of the passing of the two said Acts here complained of.

THE TWO ACTS COMPLAINED OF VIOLATE THE RIGHTS HEREINBEFORE SPECIFIED.

It may be first remarked that the Public Schools Act complained of does not merely repeal all Acts or parts of Acts contrary to its dispositions (which might possibly be interpreted as yet allowing some parts of the denominational system to continue in existence); but that clause 132 thereof repeals *in toto* and specifically all the then existing Educational Acts.

The Roman Catholic minority is then deprived of all such rights and privileges as they possessed under "The Manitoba Schools Act, 1881," unless such rights and privileges are re-enacted in "The Public Schools Act" complained of.

Every Section of the Manitoba School Act points out clearly that the system thereunder was strictly denominational even in its most minute details. This Act, and the system at the same time, has been abrogated. Now is there one single clause in the Public Schools Act re-establishing such system either wholly, or at least in some of its essential principles? Surely not.

The Roman Catholic minority, represented by the Catholic section of the Board of Education and by their Boards of Catholic trustees, had under the Manitoba Schools Act, a status recognized by law; and they held from this law and could exercise under the sanction of the law, the powers necessary to the carrying out of their schools. The Manitoba Schools Act giving them such powers, is repealed. Now, what clause of the common Schools Act replaces them in such status, and re-vests in them such powers?

Roman Catholics were sufficiently numerous, had under the Manitoba Schools Act the right to organize themselves in Roman Catholic school districts, and to erect and enjoy therein a denominational Roman Catholic school; and they held from the law, through their trustees the necessary powers for the management of such schools; power to sue and be sued, to assess and collect under the sanction of the law, not only as citizens but as a public body.

Now, under the Common School Act, can Roman Catholics hereafter establish denominational schools recognized by law? How can a Catholic Board or any other Catholic educational body be established and enjoy the usual rights of corporate bodies? How can they assess and collect under the authority and protection of the law?

It may perhaps be said, "Roman Catholics had formerly the right to establish and manage Roman Catholic schools, and they have the right now if they wish to exercise it as a matter of individual and private enterprise." As well repeal a private Act incorporating (say) a milling company, and say to the shareholders thereof; "You have yet the right to carry on milling operations as a matter of