

Government subject to a veto for two years; the time being presumably allowed in each case for petitions and objections to come in, and the longer time being allowed in the case of the Dominion Acts than in that of the Provincial Acts, because the Home Government is less able speedily to inform itself and less easy of access to petitioners. The Governor-General, as it was contended with apparent justice, could have no right to cut short the term of probation, or, in the event of his going out of office before the end of the year, to bar the exercise of the veto by his successor.

This expedient failed, as did the strenuous efforts which were made by the Government to burke opposition in caucus. A resolution demanding disallowance was moved by Colonel O'Brien, member for Muskoka, a strong Conservative and supporter of Sir John Macdonald's Government. A long debate ensued, in which the principal speech in favour of the disallowance resolution was made by Mr. Dalton McCarthy, Q.C., a leading Conservative, while the principal defender of the Act was Sir John Thompson, Minister of Justice and a Roman Catholic. The arguments of the speakers in favour of disallowance were based on the anti-national and illegal recognition of the Pope's authority in the Act, and the character of an Order which had been many times expelled as an enemy to civil government by European communities, Catholic as well as Protestant, and was still under the ban of the British Empire, clauses being pointed against it in the Catholic Emancipation Act of 1829. It was also contended that the Act was a breach of the religious equality which is a fundamental principle of our polity. In this respect it would appear that the Legislature of Quebec has actually exceeded its jurisdiction, since the list of subjects on which it has power to legislate is set out in the British North America Act, by which these Legislatures are created, and does not include religion.

By the Minister of Justice, and

others on that side, it was contended that the Act was purely local and purely fiscal, and consequently within the constitutional jurisdiction of the Quebec Legislature, so that to veto it would be to violate the principle of Provincial self-government. Both contentions were manifestly untenable. It was absurd to say that the measure was purely local if it impugned the rights of the Crown and acknowledged the authority of a foreign Power in the country, besides enjoining a propagandist Order which, though its headquarters were to be in Quebec, would operate against Protestantism and the supremacy of the civil Government over the whole Dominion. It was equally absurd to call a measure purely fiscal merely because it took the form of money payment when it raised issues which had set the whole Dominion in a blaze. Sir John Thompson was obliged to acknowledge that the preamble to the Act, reciting the settlement with the Jesuits, and reserving it for the pleasure of the Pope, contained matter "not in the best taste"—in other words, matter offensive to the Empire and the nation; but he maintained that the language of the preamble was immaterial, and that to take exception to it would be as foolish as to take exception to the title or a headline; to which the answer was that the preamble was the Act, the Act being nothing but a set of operative words giving effect to the settlement embodied in the preamble. The Prime Minister, who perhaps finds it difficult to understand that anybody can really care about a principle, tried to laugh the matter off by telling the old story of the Jew eating his pork-chop in a thunderstorm, but his wit was ineffective. In contending that the exercise of the veto ought to be confined to cases of legislative *extra vires*, he and his colleagues lay under the disadvantage of having recently vetoed an Act of the Manitoba Legislature chartering a local railway, which was as clearly *intra vires* as anything could possibly be, on alleged grounds of Dominion policy, because it infringed on the