

# THE BURNING JESUIT QUESTION.

MR. EDITOR,—“A Presbyterian Lover of Fair Play” has touched the critical point, “Who is the rightful owner of the Jesuits’ Estates?”—right in property is a civil right and must depend on civil law—the moral law forbids stealing and robbery, but civil law decides whether the property belongs to me or to another. The question thus is: Who is owner of these estates according to the laws of England under which we live? If the Jesuits are the owners, by all means give all back to them; but not \$400,000 to the Pope, only \$160,000 of that sum coming to the real owners, along with the Laprairie Common. Fair play, Mr. Editor. It is not fair to give the Jesuits’ property—if they really own it—to the Pope of Rome, the bishops, or the Sulpicians. Is any one still deceived by the sophistries of Sir John Thompson, Hon. Messrs. Laurier and Mercier, Messrs. Mills, Rykert, Fisher and others?

The sovereign power disposes of all property within the realm. The will of the sovereign is law. In all civil matters there can be no appeal to another authority, for the sovereign is supreme. There can be no appeal from King George or Queen Victoria to the Pope or to the Kaiser or the Czar. The Queen’s law is law. Who then according to English law owns the Jesuits’ Estates? Are the Jesuits the owners? or the Pope? or the Queen? This is the question. Take for illustration the Champs de Mars. Who owns that property? It is now leased by the Dominion Government to the city of Montreal. But does the Dominion own it? or the Jesuits? or the Pope? The province of Quebec never owned it, it is not therefore included in the Jesuits’ Estates Act, no compensation has been given or received for it by the Pope. Who then owns it? Is the ownership “doubtful”? Must we have another Jesuits’ Estates Act to settle it?

The Pope in his rescript of 18th January, 1889, says that after the suppression of the Order of Jesus in 1773 Pope Clement XIV. “decided that each bishop should take and hold the estates in the name of the Holy See” and “the ownership of this patrimony devolved upon the Holy See.” Since 1773 then, according to the present Pope, the Jesuits were not the owners of the estates but the Pope. This the preamble of the Act asserts both implicitly and explicitly and Mr. Mercier only last week thus boastfully stated it. This Act, he says, is the “solemn recognition of the principle of restitution; it is the official acknowledgment of the respect due to the religious authorities, etc.” This implies, as the Act asserts, that the crown could not have full or lawful possession of the estates until the Pope received compensation for the seizure, illegal and unjust, of them by the crown in 1801. It implies further that the crown was “under moral obligation” to bow to “the religious authority” of the Pope and oblige him. Now I ask, what law decides that the Pope is owner? Only Canon law, the Church’s law, not civil or national law. The Pope then is made judge in his own case. He says, “I am owner.” The Queen must obey. The religious authority is supreme and the civil power is its subject.

So far for the Pope and canon law, let us now hear civil and national law. And if your correspondent can give us any law except canon law to the contrary, I hope he will do so.

In 1765 Marriot gave as his opinion that even before the conquest the Society of Jesuits had not “and cannot have any estates in Canada legally and completely vested in them at any time.” For this opinion he gives his reasons at length. Also “such trusts (as the Jesuits) are therefore from the very nature of the Institution (the Society of Jesus) inadmissible by the laws of nations and of all civil governments; they are void both in law and in fact, because there is no legal corporate body civilly established to take their use, but an alien sovereign and aliens his subjects, who were and are utterly incapable by the very nature of their institutions of any civil existence. This was English law in 1765, it still is, and was never questioned until the Jesuits’ Estates Act made its appearance in 1888, recognizing the Pope’s claim of rights. In 1790, Alexander Gray, Attorney General, and J. Williams, Solicitor General, the king’s law servants, reported “as a derelict or vacant estate His Majesty became vested in it by the clearest of titles, if the right of conquest alone was not sufficient.” Again, “It does not need the aid of a law to effect this purpose, nor much difficulty legally to obtain the possession of the Jesuits’ Estates long fallen to and vested in His Majesty by any rule of public or private, civil or national law and practice.” This right of possession was never called in question till now. According to civil law then beyond question the owner of these estates is the crown—the Pope notwithstanding. In 1789, only four of the Jesuit fathers survived, and being unable to discharge their duties through old age and infirmity they renounced freely, voluntarily and *bona fide* all property and possession thereof to the Canadian people, in favour of whom they were made, on condition that it should be devoted to the education of the savages and of the young Canadians, and that while they lived they should be supported and should enjoy certain privileges. These conditions were fulfilled by the Government. Surely after that the Jesuits had no longer any claim to the ownership of the estates. Nor did they transfer any right they might be supposed to have to the Pope. They renounced them in favour of the Canadian people, and the estates, so far as the Jesuit fathers are concerned, became the property of the Canadian Government in trust. Further, the Act itself expressly says, “The Government does not recognize any civil obligation.” Civil law and national law are against the Pope’s ownership and in favour of the crown’s. Nothing but canon law, or the Pope’s law, decides in favour of the Pope. But canon law never, even under French law, far less under English law, prevailed in Canada.

Thus no ownership by law or equity can be established for the Pope. His claim is simply this: the Pope, as Christ’s vicar, endowed with “religious authority” has decided that he is owner of the Jesuits’ estates, therefore he is owner, and the government is under “moral obligation” to recognize and officially acknowledge (as Mercier says) his authority, bow to his decision and make restitution. Every Protestant to this answers no. In matters of property, civil matters, the State “and civil law, not the Church and canon law are supreme.” In matters of inheritance Christ refused to be a judge or divider, and the vicar of Christ (if he is such) has no right to interfere. We must uphold the supremacy of the Queen in civil matters, nor can we allow the Pope of Rome to hold or dispose of property among us while for himself he disowns allegiance to the Crown and claims superiority, nay, declares our Queen a usurper to whom the faithful do not owe allegiance because she is a heretic.

I hope to hear from “Protestant Lover of Fair Play” how the Society of Jesus could in 1888 own lands which in 1774 escheated to the crown, in 1801 were taken possession of for the crown, were surrendered in 1789 by the surviving Jesuit fathers, and were by both imperial and colonial legislation set aside as a trust for education; being thus for more than eighty years held in “quiet and undisputed possession” by the crown. The only claim during all that time was put forth by bishops who wished the revenues paid over to them, not to the Jesuits nor to the Pope. As I look at it in the light of legal decisions, the Society of Jesus never did, nor could own land; and the estates when the Society was suppressed, being a vacant and derelict estate, lawfully and rightfully escheated to the crown, not to the Pope, who arrogates to himself the ownership in the face of all law civil and national.

Ontario, Oct. 17, 1889.

PROTESTANT.

## POINTE AUX TREMBLES GIRLS’ SCHOOL.

MR. EDITOR,—I would like to call the very special attention of your readers to an effort which is now being put forth to enlist the mass of our Presbyterian women in a short but earnest campaign in behalf of the enlargement of the girls’ school at Pointe-aux-Trembles. A letter is being sent to every Presbyterian minister in Ontario and the Maritime Provinces, enclosing an envelope in which are two other letters. The one to himself asks him simply to read over the enclosed letter, and, if approving of them, to hand them over to some suitable woman in his congregation, first putting her name on the outside of the envelope, and also at the head of the letter which is evidently meant for her. The letter to this lady asks her prayerfully to choose out a number of suitable persons sufficient to have one for each district of the congregation, and to engage those who are willing to do this work for Christ’s sake, to undertake to visit, once a month for the next five months, each family of her district leaving in every house—willing to be interested (none other)—a copy of the second leaflet enclosed along with the letter addressed to herself. Having secured her visitors, she would need to send me then at once her name and address, and the number of copies required to go round the families wishing to be supplied. The visits are to be repeated with a fresh leaflet about the first of every month till the 1st of March. Then the visitors become collectors, receiving from each family whatever they have during these months gathered for the object proposed. The money so collected is to be sent at once to Dr. Warden, Montreal, along with a slip, upon which is written the name of each collector, and the amount gathered by her, these to be issued as soon as possible in a printed report, along with the full results of the campaign, and sent back to each congregation taking part in it.

God’s work moves slowly, not because there is not real self-denial on the part of the few already interested in it, but because effective means are not taken to extend the heartfelt interest to the many. In this effort it is sought to extend the interest into every home willing to be interested (none other), and to give a ready channel by means of which the fruits of interest may be sent at once to accomplish the object that the awakened interest desires.

1. It is earnestly asked that every minister receiving an envelope will give its contents that measure of thought that is required. Much is not asked of a minister—simply to choose out one to whom he can commit the management of the work. There need be no fear that the money thus gathered for the French work will take away from the funds available for other schemes. Is it not true that the more we are interested in any one good work the more easily we can be interested in another. It is the money gathered without the previous awakening of interest that leaves the purses emptier. Interest seems to create funds. We would also suggest the propriety of handing the envelope, not to one already overburdened with church work, but to one who, though really and earnestly on the Lord’s side, has hitherto been rather a silent member. The work asked of her demands little time or strength, only real love for the work, good sense and punctuality.

2. Of the good lady who receives the letter we would ask, Do not refuse to act until you have enquired of the Master Himself: “Lord, what wilt thou have me to do?” But if you find that you cannot take the position, do not let the matter drop. With your minister’s advice or sanction, be sure and get some one else to take it in hand. If it is found impossible to work every district of the congregation, just work as many as you can. Paul said to the Philippians, “To you it is given in the behalf of Christ not only to believe

on Him, but also to suffer for His sake.” That is one honour we would shrink from, and yet we know that those who accepted it joyfully were not losers, but received great and eternal gain. Now “to us it is given in the behalf of Christ, not only to believe on him, but also to deny ourselves for His sake.” It is a great and precious honour that is given us, and the angels know it. Shall we shrink from it? or shall we joyfully accept it, and, with our whole heart, ask Him again, “Lord, what wilt thou have me to do?” Do not let us have gaps in our ranks, but let every congregation have the opportunity to do whatever the Lord will put it in their hearts now to do.

A word might also be given to those who are asked to do the visiting, and to the many homes where the letters are to be left, but most of the preceding paragraph applies to them all, and this letter is already long. Only one set of letters has been sent to each minister. Where there are two stations there will need be two sets of workers. These may be secured by means of the one set of letters, or extra letters will gladly be supplied to any wishing them. This effort is made under the auspices of the Montreal Woman’s Missionary Society, and with the hearty sanction and assistance of the Board of French Evangelization.

Hoping for a full and hearty and speedy response to this appeal, I remain yours sincerely,

ANNA ROSS.

Brucefield, Ont., Oct. 28, 1889.

## WORK FOR YOUNG MEN IN FOREIGN MISSION LANDS.

The International Convention of Young Men’s Christian Associations, which met at Philadelphia, May 10th, 1889, adopted the following:

Resolved: That the International Committee be empowered to establish such Associations, and place such secretaries in the Foreign Mission Field, as, in its judgment, may be proper; and to receive such contributions for this work as Associations or individuals may contribute to it.

In pursuance of this instruction by the Convention, the International Committee, after consultation during the summer with all its members throughout the country, has taken the following action:

1. The Convention did not contemplate the sending out of general missionaries, and therefore, any such course of procedure by the International Committee, the State Committees or local Associations is unauthorized.

2. Where the way is open for Association work in any nation, and a competent Association worker is ready to go, the committee will gladly send such worker provided funds needed for the purpose of sending him and maintaining him upon the Foreign Mission field are specially contributed, the treasurer of the committee being instructed to keep a separate account of such funds.

3. The chief aim of such American representative upon the Foreign Mission Field should be to train and develop native Christian young men in the principles and methods of the Association work, and to plant native self-sustaining Young men’s Christian Associations, rather than to lay the basis for the call and coming of American associates in that work.

4. All the work of such American representatives should be carried on in harmony with, and in conformity to, the deliverances and instructions of the International Conventions.

5. The work of such representative should also be carried on not only in harmony with the evangelical missionaries and pastors of churches on his field, and with the various foreign mission boards they represent, but most earnest effort must be made by him to secure their approval, sympathy and co-operation.

6. This American representative shall be known as Secretary of the International Committee for the field to which he is sent.

7. While the International Committee is the agent of the International Convention and is a medium for the transmission of such money as it may receive from associations and individuals for the support of these representatives on the foreign field, it cannot assume for the salary and other expenses of these representatives a financial responsibility beyond all the contributions offered and pledged in the manner alluded to, nor can such expenses be made a charge upon the committee’s general treasury.

8. Such representatives shall report at least every month to the Committee and through it to the financial constituency sustaining their work.

9. This work on the Foreign Mission field shall be placed under the direction of a special sub-committee of the International Committee.

Upon the adoption of this memorandum at its meeting September 26th, the committee appointed, as its secretary for Japan, its present corresponding member for that country, Mr. John T. Swift, and as its secretary for India, Mr. David McConaughy, Jr., lately secretary of the Philadelphia Association.

This action was taken by the committee, provision having already been made for the salaries and expenses of Messrs Swift and McConaughy by friends of this new work in New York, Minneapolis and Philadelphia.

THE Rev. J. Cunningham, of St. Luke’s, Edinburgh, gave an address at one of the chief meetings held at Torre-Pellice in celebration of the bicentenary of the “Glorious Return” of the Waldenses.