

specific trust, the very moment that the trust is no longer capable of performance the property reverts to the heirs of the party from which the property originally came. That this trust was destroyed no one will question. It was destroyed by the Parliament of France. Then, if such be the case, the heirs of the donors are now entitled to the property, whoever they may be. But it may be said that I am building up a fictitious case, and, therefore, I will quote the language of the Rev. Father Flannery of St. Michael's Cathedral, of Toronto, on 17th February, 1889. He said:

"These lands were never given to them by the French Government or by any Government, but were the donations of private members of the church who left the lands in possession of the order for religious and educational purposes."

That trust having been destroyed, it will not be denied by any legal gentleman that the property reverts to the original donors. Why, we see only lately that the Seignory of Sillery was given to a certain body of Indians, and that the property has been taken away from them by this objectionable statute. We remember in 1882 in this House the First Minister, waxing eloquent over the contention that the Rivers and Streams Bill took away one person's property and gave it to another, he contended that the public interests were greatly affected, and that it was his duty for that reason to disallow that Bill. The premises he built did not exist; but if he was right in that action, he should have enquired more closely into the facts regarding this question to ascertain whether the rules he laid down for his own Government, and for succeeding Governments, did not apply to this particular case. If he was right in disallowing the Ontario Rivers and Streams Bill because, as he said, it took away the property of one man and gave it to another, *a fortiori*, he should have disapproved of this legislation because the trusts created by private donors have been destroyed from and lands have been taken away by the Parliament of Quebec, and handed over to other parties that have nothing more to do with them than the man in the moon. In order to show that I am not wrong in my view of this question, I quote a letter dated 20th June, 1879, over the signature of Mr. James McGill:

"It seems to us that it would have been proper by an advertisement to call upon the public for any dormant claims there may be on the Jesuits' estates."

I maintain, moreover, that under the British North America Act this Act is entirely unconstitutional. If I remember rightly (I will not read the particular section) it states that each Province of the Dominion shall have the right to deal with educational matters, reserving the rights of the minority in Quebec, and the minority in the Province of Ontario. No one has ever maintained that that Act gave to the different Provinces of the Dominion the right to make denominational grants, as has been done. There can be no doubt that the Jesuits are a religious institution; and are we to understand that the different Provinces have the right to make religious grants to the different religious bodies? I think not. I assert that if the leader of the Government had the very least respect for his own past record and his own past utterances, he would have disallowed this legislation just as quickly as he allowed it. Why, we have only to recall the case of the Rivers and Streams Bill of Ontario. In that case he built up the premises which did not exist. He claimed that it gave the right to take away the property of one man and give it to another; and that the general effect upon the whole country would be such that he had a right to disallow the Bill. I say that, applying that principle, he should have disallowed this Bill, and for the reasons given. If it is true that a portion of the property was given originally to the Indians of the Seignory of Sillery, then I say there are good reasons for disallowing this Bill, as, on the Premier's contention, there was for disallowing the Rivers and Streams Bill of Ontario; there was good reason to disallow

this legislation, if for no other reason than that it took away from the Indians land given to them, as it is said, by France originally. I desire to refer to the remarks of the right hon. leader of the Government on the Rivers and Streams Bill disallowance; and I may mention that his remarks were coincided in by several hon. gentlemen, and especially by the present Postmaster General and the hon. member for North or South Simcoa. On that occasion the First Minister spoke as follows:—

"I declare that, in my opinion, all Bills should be disallowed if they affected general interests. Sir, we are not half a dozen Provinces. We are one great Dominion. If we commit an offence against the laws of property or any other atrocity in legislation, it will be widely known."

Can any subject be thought of that affects the people more generally than that of religion? Can any subject be thought of that will affect the people more generally than one respecting the Jesuits' Society. Without reflecting for one moment upon the society, let me point out that this Society of Jesus has been legislated against by the countries of Saragossa, La Palantine, Venice, Avignon, Portugal and Segovia, England, Japan, Hungary and Transylvania, Bordeaux, France, Holland, Tournon and Berne, Denmark, Bohemia, Russia, Naples, and in all Christendom by the Bull of Pope Clement XIV. I maintain that it cannot be said that a society legislated against in all these countries is not of general interest, but it might be said that "this was many years ago and that we are not now in the dark ages." I am quite willing to admit that, but I find that even since that society was restored by Pope Pius VII, in 1814, it has been legislated against by, and expelled from, Belgium, Russia, France, Portugal, Spain, Switzerland, Bavaria and the Italian towns. I refer to that not because I have the least unkind feeling against the Jesuit Society, but I maintain that it cannot be said that that society is not of general interest when we find it has been legislated against in all these different countries. Can it be said that the question is of the deepest possible interest right up to the imaginary line which divides the Province of Quebec from the Province of Ontario, and that the moment you step across to the Province of Ontario it has no interest at all? I certainly say no. Can it be said that anything which will be injurious to the Methodist body in Ontario, that the same body is not more or less affected by it in the Province of Prince Edward Island? No. The Baptist community, the Congregational community, and all other denominations, have a touch of sympathy throughout the whole Dominion. Therefore, I say that the words of the right hon. gentleman spoken in 1882 in this House in reference, to the River and Streams Bill, apply to this case. By the authority of the words that he used then, I hold it is a strong argument for this Bill being disallowed to-day. I do not like to charge the hon. Premier with making fish of one and fowl of the other in this matter, but his treatment of the Orange Incorporation Bill in this House cannot be forgotten. He takes only three days to intimate to the Lieutenant Governor of Quebec that he assents to and approves of this Bill, but he is dumb to the enquiry of the Lieutenant Governor of Ontario, to know if he would assent to and approve of the Orange Incorporation Bill, when one word from him, similar to that he gave Quebec, would have incorporated the Orange Society. If he assents and approves of this legislation it follows as a most positive *sequitur* that when he disallowed legislation in the Province of Ontario, and when he disallowed legislation in the Province of Manitoba, because he disapproved thereof, it must follow that by allowing this Statute to become law he does so because he approves of the same. I would like to give the hon. the Premier an opportunity, but I see he is not in the House just now, of denying what he is credited with having said at a certain meeting on the 20th June, 1886. On that occasion he is credited by his organ, *La Minerve*, with saying as follows:—