

Mr. KIRKPATRICK. I accede to the request of the right hon. gentleman, but as the time for Private Bills is coming to a close, I hope the Government will give us an opportunity to have the Bill discussed and not confine us to the hour on Friday night.

Sir JOHN A. MACDONALD. I do not know that I can do that. It will be the very first Bill on Friday and Monday as well, and there is no chance of its being thrown over.

Motion withdrawn.

SUPPLY—THE JESUITS' ESTATES ACT.

Sir JOHN THOMPSON. I feel that in addressing the House upon this question and in presenting to it, at this stage of the debate, the reasons which, I believe, justified the Government in advising His Excellency not to exercise the power of disallowance as to the Jesuits' Estate Act of Quebec, I must ask more than the usual indulgence of the House. I shall be compelled, in the first place, to dwell at considerable length, on details which the House has already heard discussed; and I shall have to speak under a sense of the fact that with one large portion of the people of Canada nothing that I can say will be satisfactory, and that with another, and I hope the greater portion of the people of Canada, no defence of the Government is necessary. Nevertheless, considering the arraignment which the policy of the Government on this question has had, considering the interest which the measure has excited in all quarters of Canada, it is only becoming that I should ask the indulgence of the House in order that I may make a plain statement of the reasons which have induced us to give to His Excellency the advice for which we are to be held responsible to-night. I desire, before beginning a statement of these reasons, to take exception to a remark which was made by the hon. member for Simcoe (Mr. McCarthy), at the outset of his address, with reference to the position which members of the Government occupy in this debate. The hon. gentleman, in complaining that no member on the Treasury benches had risen to take part in the debate down to this stage, spoke of it almost as an act of discourtesy. He seemed to think that the mode in which the discussion should be carried on was a mere matter of politeness and a mere matter of fence. I do not so regard it. I understand the position of the Government to be this: The case on behalf of the amendment was first presented forcibly and ably last night by the hon. member for Muskoka (Mr. O'Brien), sustained by an hon. gentleman on the opposite side of the House (Mr. Barron); but I leave it to the sense of the House, whether, when the debate was adjourned at near midnight, any argument remained unanswered which called for an answer from the Treasury benches. But with regard to the hon. member's complaint on the ground of discourtesy, I have to appeal to the sense of fairness of the House in this particular. No member on either side of the House was unaware from the commencement of this debate, that the main argument on which the conduct of the Government would be assailed, would be presented by the hon. member for Simcoe (Mr. McCarthy). I was the Minister, who, if there be a difference between colleagues as to the extent to which responsibility is shared, was primarily responsible, and I submit it to the sense of fairness of every member whether, before giving the reasons upon which I must stand or fall as regards the correctness of the advice which I gave to His Excellency it was not my right to hear my accuser? The hon. gentleman thinks otherwise, and the position he takes is this: That courtesy to him and to the gentlemen who will divide with him on this question to-night require that his arraignment of my report, his arraignment of the Government with regard to every subject of this discussion, should have been made after my

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mouth had been closed, and I had ceased to have a right to defend myself. If there is any fairness or courtesy in that position, I am willing to submit that I was wrong in reserving the remarks which I have to make until the hon. member for Simcoe had been heard. Now, in presenting the case which I have to present on behalf of the Government, I must ask your attention for a few moments again to the wearisome narration of the position which these lands occupied in the Province of Quebec. Not that that matter has not been discussed in every detail, but because in almost every detail I have essentially different opinions from those of my hon. friend from Simcoe (Mr. McCarthy), and because, in some respects, the points upon which the merits of this case depend were lost sight of by the hon. member in the admirable address he made this afternoon. Why, I venture to say, without the slightest disrespect for the hon. member, for whose talents no one in this House has a higher respect than I, and I would be the last person to disparage any observations which he might address to us—I venture to say that the reason why this House ought not to ask His Excellency now to disallow that Act, if we had no better reason, is that the hon. member for Simcoe (Mr. McCarthy)—a master of legal argument—addressed the House for nearly three hours this afternoon, and presented a case in which, to say the least of it, the greatest doubt must exist—presented a case in which, for one whole hour, the hon. gentleman went from detail to detail, from step to step, for the purpose of proving—what? for the purpose of proving that the Jesuits of Quebec lost their legal title to the estates in question—a fact which is admitted in the preamble to the Act. He spent an hour more in discussing theological questions, and questions connected with the ecclesiastical history of England, which, in England itself and in every one of her colonies, have been kept asleep for the last two hundred years by the spirit of toleration on which alone a British country can be governed. Now, let me call the attention of the House to a brief statement with regard to the position of these estates, not for the purpose of showing that this society in the Province of Quebec, whatever its character and merits may have been, had a legal title to the property, but for the purpose of showing that this is not a question which we can decide, but is one which must and ought to have been left to that authority which the Constitution makes not only competent to deal with such questions but omnipotent in dealing with them, subject only to control in so far as the rights of the whole Dominion or the policy of the Empire may be involved. Now, Sir, the House will remember that, long before the cession of Canada to the Crown of Great Britain, the Jesuits had labored in the wilderness, and in the schools of Canada, and in the churches of Canada, and that, as a reward for their missionary zeal, for their talent as teachers, and for their services to this, one of the great colonies of France, that order had been erected into an incorporated body, under the most solemn acts which the King of France could pass under his hand, had been endowed with these estates by the King of France, and by private donors, who wished to place in their hands the means by which the work of Christianity and civilisation amongst the savages could be carried on, and by which the work of education amongst the youth of the Province of Quebec could be carried on. These were the terms on which they held their lands when the battle was fought on the Plains of Abraham, and the conqueror took possession of Canada under terms which are in the first place set forth in the capitulation of the city of Quebec, and afterwards in the capitulation of the city of Montreal, and under terms which are plainly defined by the law of nations, recognised by every civilised country in the world. What were these terms? By the law of nations, recognised, as I have said, in every civilised country in the