

Majesty's dominions. I have stated the facts, in regard to the position of this property, the negotiations which were had in regard to it, and I will leave it to the dispassionate judgment of the House, or of any man, Catholic or Protestant, in this country, whether the Act in the slightest degree, considered in the light of the surrounding circumstances, affects in any way the authority or the supremacy of Her Majesty, spiritual or temporal. Let me ask: What rights Her Majesty had in this property—as the spiritual or as the temporal sovereign? Absolutely none whatever—absolutely none whatever, excepting that she stood as the trustee for the Province of Quebec. Her own personal rights were not affected, her sovereign rights were not affected. These were no part of Her Majesty's domain, they were no part of Her Majesty's revenue. If they were, under this Act, all sold and turned into money to-morrow, not one dollar will ever pass into Her Majesty's Treasury, public or private, not one dollar will ever be disposed of under the advice of Her Majesty's Ministers. Her Majesty, with regard to those lands, had no interest, either as the spiritual or the temporal sovereign. Let me ask then in what particular that Act derogates from the authority of Her Majesty as head of her church, or as head of any religion in the British Empire? None whatever. It is purely a question of temporal concern, purely of the public domain of the Province of Quebec. My hon. friend from Victoria (Mr. Barron) said last night that it derogated from her authority, inasmuch as it placed a portion of the public money in Quebec at the disposal of a foreigner. It does not, I submit, place the public money of the Province of Quebec at the disposal of a foreigner; it sets aside a sum of money for the extinguishment of a claim upon the public property of Quebec, and then calls upon those which are litigants in regard to it, to abide by the decision of their arbitrator in the matter. When that \$400,000 shall have been paid from the Treasury of the Province of Quebec, Her Majesty has not the slightest right or interest with regard to the distribution of it. In the ordinary course it would be paid to one of the claimants on the property; but as there happen to be two, it is paid into the hands, or held subject to the order, of the person who has to settle the disputes between them. By what right can it be claimed that Her Majesty, or that her Government, either in England or the Province of Quebec, has a right to distribute a single dollar of that money? Surely the rights of the Crown and of the Province end when the Government there is able to say: "We have received the deed of all these outstanding claims for which we consent to pay the money;" and to contend after that that there is any royal or legislative right to control the subdivision of the money, would be like saying that after a grant of public lands had passed under the great seal, the Province had a right to say who should have interest in the land for all time to come. Now, I would be content if so much had not been said upon this subject as to mislead the judgment of hundreds of persons in this country, whose judgment upon any public question is well worth having—I would be content to rest the case there, and to say that no right of Her Majesty either as a temporal or a spiritual power, is in the least degree involved; but when we are taken so far afield upon the question as to go back into the legislation of 300 years ago, when we are asked to apply to this question the Supremacy Act, which could not have the slightest bearing upon it, even if it be in force in the Province of Quebec, I feel bound to follow out that argument to some extent for the purpose of showing how unreasonable the demand is that, under the British North America Act, and in this day of colonial rights and of self government, the federal authority in Canada, should undertake to control the legislation of one of its Provinces, according to the coercive legislation which used to exist in the mother country 300 years

ago. I have reminded the House what privileges were, even as regards the Act of Supremacy, ceded to the people of Quebec by the Terms of Capitulation, by the terms of the treaty and by the terms of the Quebec Act. I have shown that absolute freedom of worship was extended by the Treaty of Paris and by the Quebec Act; I have shown the House, I think, what is the meaning of the reservation as to the laws of Great Britain as regards religion. Sir, in the year 1765, the law officers of the Crown made this statement on their responsibility to the Government:

"Her Majesty's Roman Catholic subjects residing in the countries in America ceded to Her Majesty by the Treaty of Paris are not subject, in the colonies, to the incapacities, deprivation of rights and penalties to which the Roman Catholic subjects in the Kingdom are subject."

The First Minister of that country, Lord North, then said the same thing in debate, a brief extract of which I will read to you:

"It has been the opinion of very many able lawyers that the best way to establish the happiness of the inhabitants is to give them their own laws, as far as relates to their own possessions. Their possessions were marked out to them at the time of the treaty; to give them those possessions without giving them laws to maintain those possessions would not be very wise. As to the free exercise of their religion, it likewise is no more than what is confirmed to them by treaty, as far as the laws of Great Britain can confirm it. Now, there is no doubt that the laws of Great Britain do permit the very full and free exercise of any religion different from that of the Church of England, in any of the colonies; therefore, I apprehend that we ought not to extend them to Canada."

Well, Sir, let us not, in dealing with this question of supremacy, be more restrictive on the people of our own country in favor of the authority of the sovereign, whom we all revere and whose powers and prerogatives we all wish to maintain, than the sovereigns of Great Britain have been themselves. What has been their action in respect to this question of the supremacy? Let me read to you a passage in Lord Thurlow's statement in the debates of 1774:

"I stated in the beginning that it did not affect to relate to Canada; but I said that the capitulation did reserve all their effects, movable and immovable. But even if it were otherwise, is it to be supposed that the tithes would accrue to the King? The tithe is collateral to the land, not sunk in it. To give the right to it is giving to the secular body as well as the regular clergy all they were in possession of before. It was always in my opinion an established fact, that the clergy (in Canada) were entitled to tithes though they might not have use for them." (Debates, 1774, page 71).

So that the people in the Province of Quebec, who are said to-day to be under the provisions of a Supremacy Act so severe, that they cannot recognise the superiority of a foreign bishop, were, in 1774, by Her Majesty's Attorney General, declared to be subject to their own laws so far that their clergy were entitled to collect tithes from the people, although perhaps not by authority of law. Well, seventy-six years ago, by a solemn Act of State, the Roman Catholic Bishop of Quebec was recognised by the Governor of the Province under royal instructions. We are told that the Act of Supremacy was in force; and yet that man was a bishop simply by the superiority of the first bishop of his church. He was a bishop because he had received from Rome the bulls which, under the statutes of Queen Elizabeth, it was high treason to bring into the country at all. That was the way in which the religious restrictions of the people of this country were treated upwards of seventy-five years ago by the Imperial authorities; but after the lapse of three-quarters of a century we are to be wiser and we are to enforce against a great section of our free people legislation reserving rights to the Crown which the Crown deliberately chose to ignore seventy-six years ago. In 1817 the Roman Catholic Bishop of Quebec received a mandamus, calling him as a bishop to the Legislative Council of the Province. He held his see by the will and under the bull of his superior bishop, and he was called by virtue of his office to be one of the rulers of the Province of Quebec. In 1839 Governor Colborne issued letters patent to incorporate the Roman Catholic Bishop of