

the circumstance, but ask himself how to get rid of that cloud? He would not balance metaphysical niceties as to right or wrong, and say the church has no real right to so act; he would not even care about building up an idea as to moral right, but he would endeavour to make the best bargain possible in the interest of the province. Mr. Mercier said to the church: "Take off this cloud and I will give you \$400,000." The hon. member for North Norfolk (Mr. Charlton) has stated on platform after platform, and has stated in this House, and my hon. and learned friend from North Simcoe (Mr. McCarthy), than whom there is no one in Canada of whom I have a higher opinion, has stated, and I do not know how it has happened that he has failed to see the matter as I see it, that the Pope was brought into the transaction as a sovereign prince. That is one of the charges brought against the Act. Here is what Cardinal Simeoni says:

"The Pope allows the Government to retain the proceeds of the sale of the Jesuit Estates as a special deposit to be disposed of hereafter with the sanction of the Holy See."

There is a condition. What would happen if he were a sovereign prince? As a sovereign prince he is *ex vi termini* sovereign and controls. He lays down what he wants to be done. Look at Mr. Mercier's answer:

"In the matter of the Jesuits' Estates, the Government respectfully objects to the condition imposed in the letter of Your Eminence of the first of March instant, and cannot expect to succeed in the settlement of this delicate question unless permission is given to sell the property upon the conditions and in accordance with the exact terms of my letter of the 17th of February last."

Why could he not expect to succeed? Because the real sovereign power was in the Queen and Legislature of Quebec. Nothing could be more peremptory than the language of Mr. Mercier. Is that language you would address to a sovereign prince? No. What happens? Does the Pope say then: I will wave my crozier over you and you will disappear? Does he put him under a ban and send him into nothingness? Does he inflict pains and penalties as a sovereign prince might do? Not at all! He at once comes to Mr. Mercier's terms. We read:

"The Pope allows the Government to retain the proceeds of the sale of the Jesuits' estate as a special deposit to be disposed of hereafter with the sanction of the Holy See.

Some orators have made a point with respect to the words "the sanction of the Holy See." But that language was necessary for Mr. Mercier's purpose of closing the thing forever, because if the property was not disposed of with that sanction, how would Mr. Mercier know that further claims would not be set up? In the letter addressed to the gentleman who was authorised to deal with him, Mr. Mercier says:

"That in consenting to treat with you respecting this property the Government does not recognize any civil obligation." Could anything be more distinct? He goes on to say in paragraph 7:

"That any agreement made between you and the Government of the province will be binding, only in so far as it shall be ratified by the Pope and the Legislature of the province."

Further, in paragraph 8, it is stated:

"That the amount of the compensation fixed shall remain in the possession of the Government of the Province as a special deposit, until the Pope has ratified the said settlement and made known his wishes respecting the distribution of such amount in this country."

The object of Mr. Mercier in insisting on the ratification of the Pope to the bargain is clear—namely—to close the matter for ever—by having the sanction of the highest authority in the body with which he was dealing. There is not a word about the Pope being brought in to ratify legislation. Whether the bargain would be accepted or not was a thing for the Legislature subsequently to decide.

And in paragraph 9:

"Finally that the statute ratifying such agreement shall contain a clause enacting that when such settlement is arrived at the Protestant minority will receive a grant in proportion to its population in favour of its educational works."

Mr. Mercier deals with a sovereign prince, who is at the head of an infallible church, who believes all Protestants to be heretics, and yet one of the conditions he lays down to this sovereign prince is that a certain sum shall be given to support the Protestants, the assisting of whom, must of course, be exceedingly wrong! (Cheers.) The answer of the Rev. Mr. Turgeon emphasises this point. He says in regard to clause 9: