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BIGOTS ANSWERED.

The Governor General Receives the Anti-Jesuit Fanatics.

A Firm Negative Reply to their Fanatical Demands - His Excellency's Decision that neither Disallowance nor Disappointment will be conceded grieves the Deputation, who adopt strong Resolutions.

The deputation which went to Quebec by steamer Montreal on Thursday evening arrived at the Ancient Capital at 10 o'clock on Friday, the boat having been detained by fog. Shortly after noon they waited on His Excellency at the Citadel, where they were courteously received by the Governor-General. Principal O'Connell, of Toronto, spoke for the Ontario delegation in support of the prayer of the petition of that province.

When Dr. O'Connell had concluded, and in response to an invitation from His Excellency that others give their views, Mr. Armour read the petition from the Equal Rights' convention and Ontario.

Governor-General - They will be sent in the usual constitutional way to the council. Dr. Davidson next arose as chairman of the Montreal Citizens' committee. He spoke very low and was nearly inaudible. From what could be gathered he viewed the question in its legal aspect, practically as he has done at each meeting he has attended. He insisted chiefly on the point of degrading

THE SUPREMACY OF THE QUEEN

by the introduction of the Pope's name, to whose approval, he said, the act was made subject before becoming law. He clearly said His Excellency to exercise his power as Governor-General-in-Council to grant their appeal for the disallowance of the act by the exercise of his judgment. They had a right to ask it and respectfully did so. He reiterated the request with increased earnestness. He also presented a memorial from Montreal, N.B. siding with the deputation. It was signed by 300 people.

Mr. James Harper followed, presenting a petition. Governor-General (short and business-like) - Referred to the council.

Prof. Springer spoke a very few words on the importance of the exercise of this power by the Governor-General in disallowing the bill. He would represent that the Protestants were in a minority in the Province of Quebec, and, according to the constitution, the only safeguard against wrong lay in the exercise of that power by the Governor-General-in-Council. The speaker trusted His Excellency would see his way to give the appeal due consideration.

Dr. Antiff spoke to the same effect. As the Governor-General's reply takes somewhat in detail the allegations embodied in the Toronto petition, and the documents herewith submitted, so that the scope of His Excellency's remarks may be more fully appreciated.

TORONTO'S PETITION.

To His Excellency the Right Honourable Sir Frederick Arthur Stanley, Baron Stanley of Preston, G.C.B., Governor-General of Canada:

The petition of the undersigned electors entitled to vote for members of the House of Commons humbly sheweth: 1, that an act was lately passed by the legislature of the Province of Quebec, the title of which is, 'An Act to settle the Jesuit Estates'; 2, that the said act recognizes a right on the part of the Pope to interfere in the administration of the civil affairs of Canada, which is derogatory to the supremacy of the Queen, and menacing to the liberties of the people; 3, that it places \$400,000 of public money at the disposal of the Pope for ecclesiastical and sectarian purposes; 4, that it is further evidenced by the paper brief which appertains these funds, an appropriation of public money contrary to the spirit of British and Canadian legislation and subversive of the religious equality which ought to exist; 5, that it, in effect, recognizes the rights of the Jesuits to the lands and possessions of the Province of Quebec, and that they are entitled to participate in the grants which the Government of this province allows to other institutions to encourage teaching, education and industries, arts and colonization; 6, that the Jesuit Society has been expelled from nearly all Roman Catholic countries, was suppressed by Pope Clement XIV, in 1773, and since the days of Queen Elizabeth, an illegal corporation, the establishment of which (in the opinion of the Solicitor-General of England, given in 1822), is not only incompatible with the constitution of an English province, but with every possible form of civil government; 7, that the act outlaws and recognizes the legal status of this society, whose operations are confined to a single province; 8, that the act is passed for the reasons herein set forth, the act, so far from dealing with matters of provincial concern merely, it is one which affects the peace and well being of the whole Dominion; 9, that the undersigned approach Your Excellency by way of petition, because they believe that the majority of the House of Commons, in the exercise of its disallowance, did not represent the real views and wishes of their constituents, and there is no other way in which the minds of the people can be represented to Your Excellency; 10, never, to your petitioners' knowledge, has a case arisen in which there existed stronger reasons for invoking the power of disallowance. Your petitioners therefore pray: (1) That the act for the settlement of Jesuit Estates be disallowed; (2) that Your Excellency do exercise your

prerogative right of disallowing the House, so as to enable the constitution to pronounce on the question at the earliest possible moment. And your petitioners will ever pray.

His Excellency replied as follows: - The Governor-General's Reply.

"Gentlemen, - I am not used to receiving such deputations as this and in such a way, but in view of the importance of the subject, I am willing to create a precedent. At the same time it is one which I do not think should be too often followed. There is a considerable difficulty in receiving such a deputation as this and in speaking as lay men's self open to a charge of arguing for or against measures in which the deputation, are interested, but with the sanction of my advisers I am disposed to let the deputation know what has been the aspect of the case as it has presented itself to me. I have listened with a great deal of interest to the remarks of the gentleman who has spoken just now and I trust it will not be considered any disrespect to those who have so ably stated their views if I express neither concurrence with or disapproval of their remarks, lest I should drift into what might be considered as argument, however unintentional.

"Previous to my arrival in this country, or about that time, the Legislature of Quebec had passed the act in question. The history of the Jesuit's estates is so well known that I need not here refer to it in detail. A large amount of property had lain virtually idle because, when the provincial Government had endeavored to sell it, and in each case would purchase on a doubtful title. I cannot agree with the view expressed in the second paragraph of your petition. There were

TWO SETS OF CLAIMANTS

at least to the Jesuit's estates. It was necessary to arrange to whom compensation should be made, and ensure a division which would be accepted by all. It is true that the Pope, as an authority recognized by both sets of claimants, was to be called upon to approve or disapprove the proposed division as proposed by the Jesuit claimants were concerned, but this appears to me to relate not to the action of the legislature of the province, but to the division of the funds after they had been paid over. It is arguable that as a matter of fact there is no reference to the Pope's authority at all in the executive portion of the act. It is undoubtedly the case that the preamble to the act - an unusually long one, by the way, - contains a recital of events which led to the introduction of the bill, and that in the correspondence to set out authority had been claimed on behalf of the Holy See, to which, however, the First Minister did not refer. The introduction of the name of the Pope may be regarded as a purely formal matter, as some as Protestants, but as it appears in course of a recital of facts which had previously occurred and which, of course, legislation could not obliterate or annul, and there being, moreover, no such reference in the body of the act, I did not consider that Her Majesty's Government, in any degree weakened or assailed, nor that I was compelled, in the exercise of my duty as her representative, to disallow the act on that account.

"As to the question of policy, that is not one on which I feel at liberty to pronounce an opinion. I believe, and am confirmed in my belief by the best authorities which I can consult, that it is undoubtably the case that the power of interference is limited, for the act does not appear to do more than to seek to restore to a certain society.

NOT IN KIND, BUT IN MONEY,

a portion of the property of which that society was in years gone by deprived without compensation, and it proposes to give a compensation therefor in the money of the province which had become possessed of the property and was profiting by it. As to the recognition spoken of in paragraph 4, a portion of the rights of the Jesuit society to make further demands on the property, it seems to me that these acts leave such so-called 'rights' exactly where they were. It is by no means uncommon for the Crown to recognize such a moral claim. And I can speak from my personal experience. When I was Secretary of the Treasury, ten or twelve years ago, it occurred to me that in cases of military setbacks and other forfeitures to the Crown, the moral claim of other persons was admitted and remissions were made, not as a matter of legal right, for the right of the Crown was undoubted, but as a matter of grace. There are also many Parliamentary precedents to the same effect. It is in each instance, it seems to me, decided on their own merits, and as to paragraphs 5 and 6, also mentioned in your petition, you will pardon my saying that I am not concerned either to admit or deny your statement. But, as a matter of fact, I do not find any evidence that this Dominion and in this nineteenth century that the Society of Jesus has any legal claim on the lands of the Province of Quebec, and, as to paragraph 6, it appears to me that the legal status of the society was settled by the act of 1857 (to which little or no objection was taken). I cannot see anything unconstitutional in that respect in the payment of the money in question to a society already incorporated by law. The Governor-General, both by the written law and by the spirit of the constitution, is

TO BE GUIDED BY THE ADVICE

of his responsible ministers. If he disagrees with them on questions of high policy as being contrary to the interest of Her Majesty's Empire, or if he believes that they do not represent the feelings of Parliament, it is constitutionally his duty to summon other advisers to whom he should refer the matter, and carry on the affairs of the Dominion. As to the first, I cannot say that I disagree with the course which, under the circumstances, the ministers have recommended, believing it, from the best authorities to which I have had access, to be constitutional. The Parliament of the Dominion, by 1857, has passed the same view. I decline to go behind recorded votes.

"Members of Parliament are elected not as the delegates but as the representatives of the people, and it is their duty to guide themselves according to that which they believe to be in the best interest of the high function which they have assumed. Again, I would ask, do the dissentients represent the majority? I find that 188 represented 916,717 voters, whereas the thirteen members represent 77,297, and moreover the body of the constitutional Opposition appears to have voted for the approval of the allowance of the bill. I have been asked (though not by you) to disallow the act, though the Government ministers are in favor of it, contrary to the sense of Parliament. Would it be constitutional for a moment that I should do so? 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