

forsooth, I am to go to His Excellency and ask him to disallow this Act because, in the year 1874, a *Quarterly Review* published an article denouncing the Jesuit Society and its teachings. Am I not right in taking the argument and the evidence which he produces to-day as the argument and the evidence which I should produce to His Excellency? If I were to go to His Excellency and say that the *Quarterly Review*, published in 1874, denounced in language as strong as could be the tenets and teachings of these people, His Excellency might ask me a number of perplexing questions, one of which was levelled at the hon. member for North Simcoe this afternoon without much profit to him. Let me suppose that His Excellency asked me: "Mr. Minister of Justice, who is the author?" My answer would have to be—surely I cannot do better than take the answer of the hon. member for Simcoe—my answer would have to be: "I really do not know who is the author; but, your Excellency, I am sure that nothing would be published in the *Review* which would not stand criticism." I am afraid that His Excellency might not be satisfied with that answer, and that he might put me another rather more puzzling question: "Mr. Minister of Justice, are you aware that these able and eloquent, but anonymous, publications in that *Review* have been refuted time and again until the slanders have been worn threadbare?" I would ask my hon. friend from Simcoe what I should answer to that question?

Mr. McCARTHY. Refuted where?

Sir JOHN THOMPSON. I would like to ask him, has he ever read the answers to them? I would like to ask him, has he ever sought the answers to them? Because these are questions which His Excellency may ask me when I go to him with this advice. The hon. member asks me, where? Well, I tell him, in the first place, in publications so voluminous that I shall have to give him a catalogue of them; but in order to be precise, and not to be suspected of evading the question, I will tell him that in an English publication called the *Month*, step by step, as every one of these articles came out, the answer and the refutation came out, and that in the opinion of a great many people, these men were able to refute the articles triumphantly. I am not to pass judgment as to whether they were successful or otherwise, I have no right to speak my own opinions here, I am speaking for those with whom I am acting in concert. His Excellency might ask me whether having read these articles what conclusion I had come to as to the balance of arguments *pro* and *con*. If he did so, I should be unable to find, in the course of that admirable three hours interesting theological discussion which we had to-day, a single hint as to my reply, and having read the attack in the *Review*, and the replies which were made, answer as I have done. I should have to tell His Excellency that unless he were to be guided by the opinion of a partisan on one side or the other, the best thing he could do would be to leave it either to his own conscience or to that conscience which the Constitution has provided for dealing with the subject—the conscience of the Legislature of the Province which had to deal with it. If His Excellency were to ask me: "Sir, in advising disallowance on the authority of the *Quarterly Review*,"—which I am afraid to the Colonial Office would not be a sound authority, would not be a satisfactory constitutional authority—"have you verified the quotations for yourself?" I ask the hon. member for Simcoe what I should answer then? What answer could he give to the House if I asked him now, whether he has verified a single one of those quotations—and I tell him that on the verity of the quotations half the controversy has turned. I tell him that it is claimed by those who have undertaken—I do not say they have succeeded—to refute them, that the tenets which they are accused of teaching, they have not taught; that the passages put forward as proofs were problems—doubtful cases, cases to distinguish between that which is

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the sin, which the confessor has to deal with, and that which, though against public morals or public propriety, the confessor has not to deal with. In dealing with casuistry, and when dealing with moral theology, some of the old writers quoted have suggested difficulties, and problems, and questions, and have given advice to confessors upon such subjects; but they have not put forward the tenets as to be taught to the youth of the country. I might be told by His Excellency that I might find in the studies of my own profession a similar case; that I might find the leading writers in my own profession, eminent men, stating that things which we recognise from day to day as hideous wrongs, are not offences against the criminal law of the country—some of them I could name, but which it would be almost indecent to name in a mixed assembly. And, Sir, could it be said of these writers who declared that such was the law, that these things, however abominable they may be, however contrary to public morals, are not against the law—could it be said that these eminent writers like Sir Fitzjames Stephen and others are teaching that such things are lawful and ought to be done in the country, and are putting them before the youth of the country as things that are right? Is there not a broad distinction between the two ideas? If the hon. member for North Simcoe had read the answers which have been made to the publications, which he quoted he would not have dared, as he is an honorable man, to have presented to the House the argument that he made this afternoon, without, at least, presenting the other side of it. If I were to advise His Excellency to disallow this Bill because of the objectionable teachings of this body, His Excellency might fairly say to me: "The Legislature of the united Provinces of Canada, 37 years ago, erected the society into a corporation to hold lands and to teach the youth of the country. Now, in looking over that 37 years of record, can you point me to one of the teachers or one of the taught who has been disloyal to his country? Has anyone been able to say: 'This or that father has taught me immorality, this or that man is guilty of immorality in his teaching, this or that tenet was objectionable?'" What reply should I have to give him? Well, Sir, if His Excellency went on and reminded me that the rules and constitutions of that order have been published for 45 years, and that before giving him advice of that kind I ought to be able to put my hand upon the passages of the rules and constitutions of that order which are objectionable on the grounds of public policy, I am afraid I should be unable to do so to an extent to justify the disallowance of this Act, and I am afraid I should not find in the speech of the hon. member for Simcoe much comfort in that respect. If I were to advise His Excellency to disallow the Act on the ground of the expulsion of the Huguenots, the Revocation of the Edict of Nantes, the Franco-German war, the expulsion from France in 1818, the expulsion from other countries, I am afraid His Excellency might tell me that all the statements of fact were disputed, and that he might read me a lesson in ancient and modern history of which one of the deductions could be that in some of these countries, to say that the court was opposed to the Jesuits, or to say that the court was opposed to the Protestant reformers, was no discredit to either the Protestant reformers or to the Jesuits. I do not think, Sir, that I need dwell on that branch of the subject any longer. I think that whenever we touch these delicate and difficult questions which are in any way connected with the sentiments of religion, or of race, or of education, there are two principles which it is absolutely necessary to maintain, for the sake of the living together of the different members of this Confederation, for the sake of the preservation of the federal power, for the sake of the good-will, and kindly charity of all our people towards each other, and for the sake of the prospects of making a nation, as we can only do