By none have its character and its principles been more fiercely assailed, and more vehemently denounced, than by men of the Roman Catholic faith. By no governments has it been so harshly dealt with, and so absolutely suppressed, as by the governments of such supremely Roman Catholic countries as Spain, France and Italy. And it is only by its success in the cause of Ultramontanism, and the destruction of the Gallican and other national churches, that it owes the favor it now enjoys. In conclusion, we venture to say, by none will the action of M. Mercier be more bitterly regretted in time to come than by the Roman Catholics of the Province of Quebec.

THE CONSTITUTIONALITY OF THE QUEBEC JESUIT ACT.

THIS Act appears to give authority to the Pope to sanction or ratify the distribution of the legislative grant of $400,000. The enacting clause provides that the money is to be payable "under the conditions mentioned in the documents" cited in the preamble. This delegation of authority to the Pope, a foreign potentate or sovereign, brings up the question whether the Act is constitutional, and also whether it infringes the express provisions of Imperial statutes prohibiting foreign potentates exercising jurisdiction in the dominions of the Crown, which are in force in Canada.

It will, we think, be conceded, apart from any provisions in Imperial statutes, that it is *ultra vires* the constitutional power of a colonial legislature to confer on or delegate to any foreign sovereign, potentate, or tribunal, lawful jurisdiction or authority to determine or ratify the distribution of the moneys or properties of the Crown, or how money grants to the subjects of the Crown, within its colonial jurisdiction, are to be distributed.

The Imperial Crown may in any proper case agree with another crown or nation to refer to a sovereign, or to arbitrators mutually agreed upon, questions affecting its belligerent or territorial rights or claims; but this regality of the Imperial Crown is not possessed, nor can it be exercised, by a colonial government or legislature. If it would be *ultra vires* of the Legislature of Ontario to delegate authority to a foreign power—say to the President of the United States—to distribute, or to ratify the distribution of public moneys legally voted (the Clergy Reserve moneys, for instance) it follows that this delegation of authority to the Pope by the Legislature of Quebec must also be *ultra vires*. What would be unconstitutional in Ontario must be equally unconstitutional in Quebec. No State of the American Union, though "sovereign" in a limited sense, can treat with foreign potentates, or give them jurisdiction to dispose of the moneys or territorial properties of the State. Nor can any provision similar to that in this Quebec Act be found in the legislation of any civilized nation.

The Imperial Parliament has from the earliest days made it a criminal offence for subjects of the Crown to procure judgments or determinations from the See of Rome or from any other foreign powers or potentates out of the realm; and