

dispute, or by saying: "You must conform to the decision of some person who has authority over you both." Let me argue this question throughout, if we can, without feeling that we belong to different religious persuasions, without feeling that a religious question is mixed up with it at all; and, therefore, let us leave out for the moment any name which might excite the prejudices of some portions of the community. The Bishop of Quebec and the other contesting parties who struggled for compensation for this moral claim were all members of the same church, and by their membership recognised supreme authority in the head of that church to settle their disputes, even though the settlement should be against their will. The head of their church had that authority—not by any provision of the law of Quebec mind, not by any provision recognised by English law mind, but by the consent of the parties who were free to belong to that church and free to leave it, and while they did belong to it were subject to a spiritual superior. He had that power by their choice; he had the right to say to one or the other, no matter how small or how great the proportion might be that was divided between them: "You must submit; it is a fair settlement between you, and I, as your supreme arbiter bind you by my decision." The Government of Quebec, therefore, having made up its mind to recognise the moral claim, if for no other purpose, for purposes of public policy, found that they could not arrive at a solution of the question without some person to act between the claimants and to bind them both. It was only by a method like that that they could reach a solution—paying once, and once only, the value of this moral claim. Now, that being so, let me see what was done in pursuance of that method of settlement. The head of that church, so possessed with power to preclude the Jesuits from making any further claim, so possessed with power to preclude the bishops from making any further claim, authorised, in 1884—and this is an important fact, as the House will see when I proceed a little with the argument—authorised the Archbishop of Quebec to act as his attorney in the negotiations for the settlement. On the 7th of May, 1887, a document appears which has been one of the means of exciting hostility to this Act. On the 7th of May, 1887, the head of the church *reserved to himself* the right to settle the question with regard to the value of that moral claim and the division of the proceeds—reserved it to himself in virtue of his prerogatives as a potentate? Not at all. Reserved it to himself simply in the withdrawal of the authority which he had given to the Archbishop of Quebec, and left himself unrepresented in the Province by any attorney whomsoever. And, therefore, when it is said that the Pope reserved to himself the right to settle the question, he was not by any means claiming to reserve any right in the public domain in the Province, or any right to the appropriation of money of the Province. He was simply withdrawing the power which he had given to another person to settle the question, and saying: "Until a new authority is given, you will negotiate with me." The next step, Sir, was on the 17th of May, 1888, and that was in a letter which was written by Mr. Mercier, the First Minister of Quebec, and which, without an undue desire to deter the propriety of these negotiations, the policy of the Act, or any other step of the transaction, I think has been very much misunderstood in this discussion. That letter recites, among other things, that the Holy Father, by reserving to himself the settlement of that question, virtually had cancelled the authority, the only authority, which existed in the Province of Quebec, to negotiate with the Government. The First Minister said:

"My predecessors in the Government deemed it their duty, in 1876, to order the demolition of the college and the division of the property into building lots, in view of an immediate sale, which, however, did not take place, owing to certain representations from exalted personages at the time.

Sir JOHN THOMPSON.

"To avoid further difficulties, as I supposed, my predecessors let the matter lie and allowed the property to be so neglected that it has become a grazing ground and a receptacle for filth, so much so that it is openly said in Quebec that the matter has become a public scandal.

"Under these circumstances, I deem it my duty to ask Your Eminence if you see any serious objection to the Government's selling the property, pending a final settlement of the question of the Jesuits' estates."

My hon. friends so far misconceived that request as to represent it to be a petition on the part of the Government of the Province to a foreign potentate for permission to sell the property—a permission which they did not need, because by the law of the Province they had the power to sell it, and they had from year to year sold portions of it, and put the proceeds in the public Treasury. But in asking his consent to the sale of the property, they were asking that, when they brought it to the market again, they should not be met by the protests of the bishops whom he had the power to control; and, therefore, when the First Minister said: "Will you permit this property to be sold, pending a final settlement of the Jesuits' estates?"—he was simply asking that that protest should no longer be made, and that there should be a consent to the sale on the part of all who asserted any claim whatever, even though it were only the shadow of a moral claim. He said: "This is a receptacle for filth, so much so that it has become a public scandal; let us all agree that it shall be sold, pending a settlement of the Jesuits' estates." Surely that is only the ordinary transaction of everyday life, when a man has possession of real estate to which another sets up even an unfounded claim. He will say: "Rather than that this property should go to waste and be a public nuisance, better that we should all consent to sell it." Yet we are told that the First Minister went to the feet of a foreign potentate to enable him to exercise power which he ought to have found in the statutes of his own Province. He was not denying his legal title or power; but he was simply saying: "Give me your consent, so that this claim, whether little or much, shall no longer stand in the way of a sale for the benefit of all concerned." He said:

"The Government would look on the proceeds of the sale as a special deposit to be disposed of hereafter, in accordance with the agreements to be entered into between the parties interested, with the sanction of the Holy See."

Simply this, that all parties claiming the property, or any rights in respect of it, shall agree that the property shall be sold and the proceeds shall be kept inviolate, so that anybody having any claim against the property shall not be prejudiced, but shall have the same claim as before—precisely the same arrangement as any business man having property to sell would make with his adversary. The letter goes on to say:

"As it will perhaps be necessary, upon this matter, to consult the Legislature of our Province, which is to be convened very shortly, I respectfully solicit an immediate reply."

We were told in sarcastic tones to-day that it was *absolutely necessary* to go to the feet of the Sovereign Pontiff, but it might only *perhaps* be necessary to consult the Legislature of the Province of Quebec. I say when we know the facts with regard to that property, the criticism becomes unfair. The Government of the Province had already power to sell the estates by law, and, therefore, unless it were agreed upon with the head of the church that the property should be sold under these conditions, and an agreement were made to value this very claim, and to put aside the funds to meet it, there was no necessity to consult the Legislature at all. If the personage to whom that letter was addressed had declined the negotiations, it would not have been necessary to consult the Legislature, because the Provincial Government had all the legal authority the Legislature could give them. It was only in the event of a compromise being arrived at and the payment of money being involved, that it was necessary to consult the