

to make any deeds that he may deem necessary for the full and entire execution of such agreement."

So the objectionable features contained in the preamble are embodied in the Bill, specially referred to in the Bill, confirmed in the Bill, and form in point of fact a portion of the Bill itself. Now, Mr. Speaker, it is asserted by Mr. Mercier, it is admitted, I believe, by my hon. friend the Minister of Justice, it is not disputed, so far as I am aware, by anyone, that the Jesuits had no legal right to these estates. My hon. friend the member for Bothwell sought to break the force of the arguments with reference to the want of any legal claim on the part of the Jesuit Society, sought to break the force of the payment of money to the order of the Pope, by referring to the Clergy Reserve case, by speaking of the commutation of the Clergy Reserves having been paid by the Government of Canada to certain ecclesiastical bodies. Well, Sir, the cases are not parallel. No claim was set up in that instance that these ecclesiastical bodies had not a legal claim. On the contrary that claim was admitted, there was a commutation of this claim, and the money was paid to them under that commutation. But that is not a parallel claim to this present case, where there was no legal claim, where no legal demand could possibly be made on the part of the Jesuit organisation for the payment of money. Now, I have referred before to the fact of these estates being the property of the Crown. I have referred to the Act of 1774, which specially exempted the ecclesiastical corporations from participation in the rights and annuities that pertained to individuals, and the property of the corporations was undoubtedly the property of the Crown. Foreign corporations could not hold property in Canada; they could not hold property then, they could not hold property in Canada till a very recent period. The fact that this was a religious order that had been endowed with its lands by the King of France, places this corporation in such a position that its rights were forfeited when the conquest took place, and the forfeiture was completed when the order was expelled. We have an instance recorded, a case brought to trial within recent years, where it was decided that a foreign corporation could not hold property in the Province of Quebec except by virtue of special legislative action, the case of the Chaudière Gold Mining Co. *vs.* George Desbarats which was before the Privy Council in 1873. It was held:

"That, by the law of the Province of Quebec, corporations are under a disability to acquire lands without the permission of the Crown or the authority of the Legislature, that a foreign corporation could not purchase lands in said Province without such permission or authority, and had no action for damages against the vendor."

There can be no question about the loss of title by the Jesuit Order. In 1841, when this property was dealt with, it was the property of the Crown, and there can be no doubt that between 1841 and 1867, when the Provinces entered into Confederation, this particular property was appropriated to the schools of the Province of Quebec, and there can be no doubt that this property having been appropriated to the school funds of the Province, it was unconstitutional to divert it to other sources and use it for other purposes.

Now, there is another objection to this settlement which leads me to believe that it cannot be a final settlement. Other demands may be made. Subsequent events may show that the lands were sold for more than was anticipated. The Jesuits may fall back on the estimation of the value made at one time which was about \$400,000, and may claim more if the property sells for more. The correspondence, if carefully scrutinised, will lead one to the conclusion that we are not by any means in a position where we can be sure that this case is finally closed. There is one piece of property which is considered as part of the Jesuits' estates, the Champ de Mars, which is Dominion property. There is Laprairie Common, which has been

passed over to the Jesuits but held to be Dominion property. It has been occupied by the Dominion Government as a parade ground for many years, and they have the right of possession at least. I assert my belief that the common of Laprairie is Dominion property, which has been granted to the Order of the Jesuits by the Province of Quebec. The correspondence with regard to this matter, if it is carefully scrutinised, will lead us to the opinion that it is far from being settled. I find in the letter from the Premier of Quebec to Father Turgeon, dated 1st May, the following clause:—

"That you will grant to the Government of the Province of Quebec in full, complete and perpetual concession of all the property which may have belonged in Canada, under whatever title, to the fathers of the old society, and that you will renounce to all rights generally whatsoever upon such property and the revenues therefrom in favor of our Province, the whole, as well in the name of the old Order of Jesuits, and of your present corporation as in the name of the Pope, of the Sacred College of the Propaganda and of the Roman Catholic Church in general."

To this letter the Rev. Father replied on 8th of May as follows:—

"The Government of the Province of Quebec will receive a full, complete and perpetual concession of all the property which may have belonged in Canada, by whatever title, to the fathers of the old society, and the Jesuit fathers will renounce all rights generally whatsoever upon such property and the revenues therefrom in favor of the Province, the whole, in the name of the Pope, of the Sacred College of the Propaganda and of the Roman Catholic Church in general."

What does that amount to? The Society of Jesus gives a quit claim for all its property to the Province of Quebec. Part of that property, the Champ de Mars, valued at \$1,024,000 is the property of the Dominion; and we shall have in due time, perhaps, Mr. Mercier coming to Ottawa with a demand for the settlement of his claim against the Dominion Government for the value of the Champ de Mars because of this transaction, and because a quit claim was given by His Holiness the Pope in behalf of the Jesuits. If the argument of the Minister of Justice is correct, if the Jesuits have a title to this property that claim would be good; and if this Bill becomes law we are exposing ourselves to the possible contingency of having the Province of Quebec make a claim on the Dominion for the value of that portion of the Jesuits' estates known as the Champ de Mars. And then we have the other possibility of the Society of Jesus coming to the Dominion and demanding the value of the Laprairie Common, which has been granted it by the Province of Quebec, but which is probably the actual property of the Dominion of Canada. We are leaving ourselves open to further demands with respect to this matter; and I believe for this consideration, if there were no others, it would be proper and prudent to disallow this Bill. The other objection I have to this Bill is, that I hold it to be in the highest degree dangerous and improper to make grants to religious bodies. If you once open the door, if once you permit that species of operation to be commenced in this country, there is no human wisdom that can tell where it eventually will end. Can any one believe that this grant made to the Society of the Jesuits by the Province of Quebec has no connection whatever with political exigencies? Can any one doubt that seeking political influence has something to do with this matter, and if it has been the motive in one case, may it not be the motive in another? Are we not opening the door to great evils that will be introduced if we permit this sort of influence to be inaugurated, if we permit an arrangement made between the Premier of the Province of Quebec and the Society of Jesus, by which the Jesuits are endowed with \$400,000 upon a most doubtful claim—what may be the next thing? I believe upon the ground that this Bill paves the way to further demands for religious grants that may be successfully pressed when votes and influence are badly needed by some political party that it endangers the interests of this country, and for this, if for no other reason, this Act should be disallowed.