

how that money belonging to the church shall be distributed, were not so particular a short time ago when the Pope's opinion was asked upon a more important question. In Ireland, not very long ago, when, as we know, dissonances were rampant, when the people of England were looking to Ireland with dismay, were not the people of England glad to have the Pope act as arbitrator? We have here a very important question, and I see nothing in the English courts, in the English Parliament, or in the English Government, protesting against this. On the contrary, they were glad to see the Pope give his opinion on that question. Also, when the question arose upon boycotting and paying rents, the matter was referred to the Pope, and the Pope issued—I do not know what you would call it—a pronunciamiento, or whatever it may be, and sent that to Ireland. No fault was found with that. I wonder the hon. member for Muskoka did not find fault with that. He is opposed to Home Rule, as I am myself, but at the same time, he found no fault with the Pope being called in as arbiter to settle this most important of all questions. Now, let us see what the Pope says:

"On several occasions the Apostolic See has given to the people of Ireland (whom it has always regarded with special benevolence) suitable admonitions and advice, when circumstances required, as to how they might defend their rights without injury to justice or the public peace. Our Holy Father Leo XIII, fearing lest in that species of warfare that has been introduced amongst the Irish people into the contest between landlords and tenants, which is commonly called the Plan of Campaign, and in that kind of social interdict, called boycotting arising from the same contest, true sense of justice and charity might be perverted, ordered the Supreme Congregation of the Inquisition to subject the matter to serious and careful examination.

"Hence the following questions were proposed to their Eminences the Cardinals of the Congregation: Is it permissible, in the disputes between landowners and tenants in Ireland to use the means known as the Plan of Campaign and boycotting?"

"After long and mature deliberation their Eminences unanimously answered in the negative, and the decision was confirmed by the Holy Father on Wednesday, the 18th of the present month.

"The justice of this decision will be readily seen by any one who applies his mind to consider that a rent agreed on by mutual consent cannot, without violation of a contract, be diminished at the mere will of tenant, especially when there are tribunals appointed for settling such controversies and reducing unjust rent within the bounds of equity, after taking into account the causes which diminish the value of the land."

No objection was taken to that. The Pope took steps in these matters as between landlord and tenant, he denounced the plan of campaign, and declared that in his judgment the course taken by supporters and others in the Catholic Church was improper, and he advised them to take a different course. It seems to me that, looking at this question in all its lights, this House is justified in declaring that the Government have acted fairly with the Province of Quebec. Let me briefly refer to the amendment moved by the hon. member for Muskoka (Mr. O'Brien). It states:

"Firstly, because it endows from public funds a religious organisation, thereby violating the unwritten but undoubted constitutional principle of the complete separation of church and state and of the absolute equality of all denominations before the law."

I think I have met that objection, and I have read the opinion of the *Law Times*, an authority which the hon. gentleman will not endeavor to controvert. The amendment further states:

"Secondly, because it recognises the usurpation of a right by a foreign authority, namely: His Holiness the Pope of Rome, to claim that his consent was necessary to empower the Provincial Legislature to dispose of a portion of the public domain, and also because the Act is made to depend upon the will, and the appropriation of the grant thereby made is subject to the control of the same authority."

Let anyone look at the Act and he will see that it says nothing with respect to the benefit of the Jesuits. The preamble of the Act shows there was a controversy going on between the church and the Province of Quebec in regard to claims respecting the Jesuits' estates, and with a view to settling that question negotiations were opened with the Pope in order to ascertain how it could be settled

amicably. There is not a word in the whole of the correspondence or in the whole of the Act to show that it was a settlement with the Jesuits themselves, but only with regard to the Jesuits' estates. The hon. gentleman has forgotten that point. The hon. member for Muskoka (Mr. O'Brien) entirely fails to point out that there is one word in the Act respecting a settlement with the Jesuits, but that it is for a settlement in regard to the Jesuits' estates, which the Act says were confiscated by Imperial authority; and I have endeavored to show from history that there is considerable doubt with respect to the confiscation and as to whether the estates really were within the possession of the Crown. The Act itself says:

"Whereas it is expedient to put an end to the uneasiness which exists in this Province, in connection with the question of the Jesuits' estates, by settling it in a definite manner: Therefore Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows."

It is true that the head of the Jesuits was authorised by the Pope to enter into negotiations, but these negotiations were not with the Jesuits at all, and there is not one word in the Act to show it; it was for the purpose of settling a long standing question as to whether these estates belonged to the church or not. The hon. gentleman says that the Quebec Government are taking out of the Jesuits' estates money and handing it over to the church authorities, that \$400,000 is to be placed at the disposal of the Pope and \$60,000 at the disposal of the Protestant clergy. Such is not the fact, for there is not a word said about the Jesuits' estates. The Quebec Government has to take the money out of the consolidated revenue, and power is given them by the Legislature, in section 6 of the Act, to sell the estates and apply the money in any way it may think proper. Section 6 says:

"The Lieutenant Governor in Council is hereby authorised to dispose, in the manner he deems most advantageous to the Province, of the whole property, movable and immovable, interests and rights, generally whatsoever of the Province upon the said property known as the Jesuits' estate."

It, therefore, appears that the Lieutenant Governor in Council is authorised to pay out of any public moneys at his disposal, \$400,000 under the conditions named, and may make any deed necessary for the full and entire execution of such agreement. The money, therefore, is taken out of the consolidated fund, and authority is taken to sell the Jesuits' estates and apply the proceeds as the Lieutenant Governor in Council may see fit. It appears to me that upon every ground advanced by the hon. member for Muskoka (Mr. O'Brien), this House is bound to answer his interrogations in the negative and to vote that the propositions made by the hon. gentleman are not in accord either with facts, or with history, or with constitutional law. He says further:

"Thirdly, because the endowment of the Society of Jesus, an alien, secret and politico-religious body, the expulsion of which from every Christian community wherein it had a footing, has been rendered necessary by its intolerant and unchristian intermeddling with the functions of civil government, is fraught with danger to the civil and religious liberties of the people of Canada."

The hon. gentleman forgot to say that there was St. Mary's College, which was a recognised corporation in the Province of Quebec. Yet he deliberately declares they are an alien corporation. What does the Act of 1887 say? It states distinctly that they were incorporated as a body and were recognised as a corporation by the Province of Quebec. Those are the facts, and I leave the House to judge as to their application. I have endeavored to show as briefly as possible, although I have necessarily occupied considerable time in doing so, that the rights of the minority are not interfered with, and I think I have shown that successfully; that the people have acquiesced in and approved both Acts, which is a fact beyond all question; that the feeling raised in Ontario is entirely