

introduced. He stated emphatically that there could be no justification for the course he proposed to adopt, but the fact of the enormous national interests at stake; the plea that there could be no peace, no cordial understanding, no real friendship between the two countries until the grievances, sentimental grievances they might be called, but not the less real, had been removed. These considerations, and these alone, he held, could justify his interfering with the funds of the Church of Ireland, and diverting them from their original destination to others, which he maintained were identical in their real objects, although apparently varied from their original purpose.

Has any such justification been shown in the case of the funds and properties of the branch of the Church of Scotland in Canada? Has there been any grave national crisis such as that which Mr. Gladstone held to have existed when the Irish Church was disestablished? Was her existence preventing the cordial union of the different provinces? Were the fabrics erected for the celebration of her worship regarded as the emblems of a conquering nation, dominating over a conquered race? Yet these alone were the considerations which were held by Mr. Gladstone as the justification for setting aside the revenues provided for the Church of Ireland. We pass over the fact that the Parliament which enacted the law to which we have just referred was an Imperial Parliament, possessing almost unlimited powers, powers certainly uncontrolled, whilst the Legislatures which have passed the Acts of which we complain, are limited in their objects, and have only a delegated authority. We pass over this point because the right or wrong, the justice or injustice, of a measure does not depend on the power to enforce legislation, but on its equity.

Setting aside altogether the ecclesiastical character of the parties to the struggle, the decision of the Court of Chancery in the Church cases which have been brought before it are such as to make every member of the community tremble for the safety of his investments. Of what avail are title deeds, agreements or conditions, however stringent? Take the case of the Temporalities' Fund, and extend that to other cases of a similar nature, of a purely business kind. The words of the bargain, made when the Temporalities' Fund was established, are as stringent as words can be: "All persons who have a claim to such benefits shall be ministers of the Presbyterian Church of Canada in connection with the Church of Scotland, and they shall cease to have any claim on, or to be entitled to, any share of said Commutation Fund, whenever they shall cease to be ministers in connection with the said Church." Or the title deeds of the churches. They clearly state that the congregations shall only enjoy the right to the properties so long as they continue congregations in connection with the Church of Scotland. No majority, however large, can deprive the adherents of that Church of their rights. Yet we are told by the Court of Chancery that we have no rights which that Court is bound to respect.