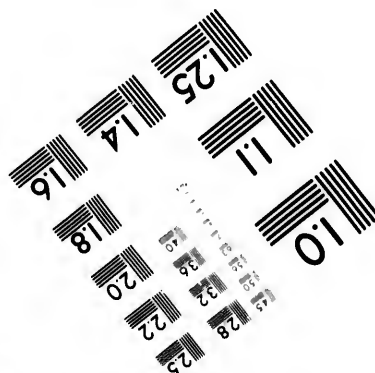
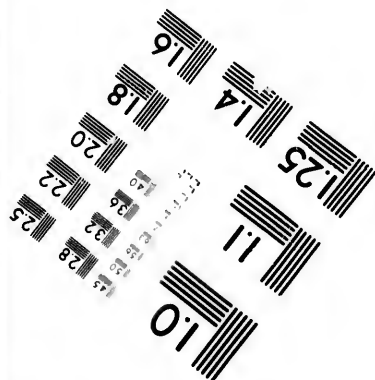
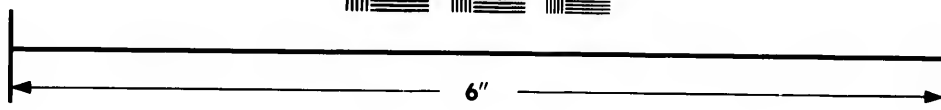
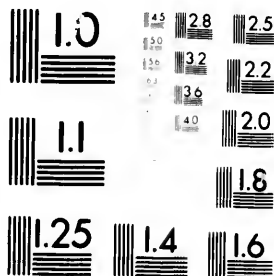


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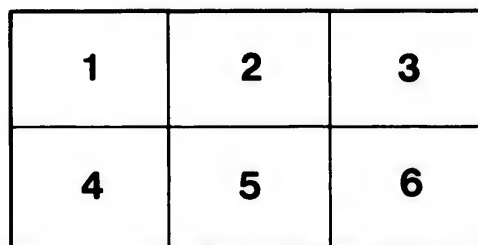
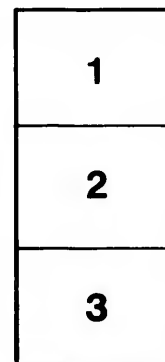
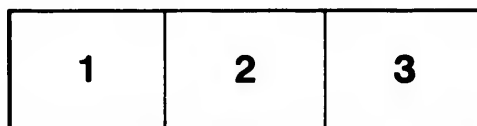
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Davin, Nicholas F

The Jesuits' Estates Act.

A SPEECH

DELIVERED IN THE HOUSE OF COMMONS OF CANADA ON
THE 30TH OF APRIL, 1890,

—BY—

NICHOLAS FLOOD DAVIN, M.P.

SECOND EDITION.



OTTAWA:

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THIS SPEECH
IS INSCRIBED TO
THE RIGHT HON. SIR JOHN A. MACDONALD, G.C.B.,
WHOSE MODERATION AND JUDGMENT,
NOT LESS
THAN HIS GREAT ABILITY,
HAVE ENTHRONED HIM IN THE CONFIDENCE OF
THE PEOPLE OF CANADA.

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The Jesuits' Estate Act.

UNWORTHY METHODS OF AGITATION THOROUGHLY
EXPOSED.

SPEECH BY MR. N. F. DAVIN, M.P.

In the course of the debate on Mr. Charlton's motion, in the House of Commons of Canada, April 30th, 1890, Mr. Davin said : I do not intend to occupy the time of the House at any length, but there is an aspect of this question to which, with great diffidence, I would crave the attention of hon. members. The hon. member for North Norfolk has given us a reason why he has once again wantonly thrown this apple of discord on the table of the House, and his reason is the taunts of people outside these doors. Why, is it to be supposed, for one moment, that any hon. member in the exercise of his duties in this House is to listen to every *gobe morche* outside these doors, and direct his course according to what any gabler at a street corner may say? In considering this resolution, I hold it is impossible to take the view of the hon. member for West Durham (Mr. Blake), that it is a very innocuous resolution which hardly amounts to a censure of the Government. He seemed to think that it was a very mild affair, but to my mind, looking at the wording of the resolution, there is over it the taint of hypocrisy, and, if my hon. friend the member for North Norfolk (Mr. Charlton) did not carry on his brow the stamp of ingenueness, I could not fail to conclude that he also was tainted with hypocrisy. He tells us that the reason why he brought forward this resolution is the dissatisfaction which has been excited in the public mind. Who has excited the dissatisfaction in the public mind, and in what manner has it been stimulated? (Hear, hear.) It is a bad thing to have the public mind excited, especially if it is excited on the basis of senseless passions, but it is still worse when the stimulants applied to it are ignorant and perhaps malicious. I will call the attention of the House for a moment to the

position taken by the hon. member for North Norfolk (Mr. Charlton), and place before you

MR. CHARLTON'S HISTORY.

He appeared before us to-day as a historian. He quoted a pamphlet written by Mr. Hughes, and asked us why were the Jesuits expelled from France in 1804, from Naples in 1810, from Belgium in 1818, from Russia in 1820, from Spain in 1826, from France in 1845, from Bavaria in 1848, from Naples in 1848, from the Papal States in 1848, from the Austrian Empire in 1848, from Galicia in 1848, from Sicily in 1848, from Paraguay in 1848, from the Italian States in 1859, and from Sicily in 1860? Nothing is more instructive than to bring the illumination of history to bear on the events of the present time. I remember that Lord Bolingbroke says that if a man desires to be a good statesman, he should give his days and nights to the study of history. The great Arnold of Rugby says that a man who aspires to guide the destinies of his country or even be useful in her councils should be a careful student of history; and, reading the other day some statements in regard to Bismarck, I learned that that great man, one of the greatest men who ever appeared on the stage of time, has found his favourite study in history. Thus we need not be surprised that an hon. gentleman who hopes to take a high position, who aspires to put his hand upon the rudder, and, perhaps, to guide the Ship of State, like my hon. friend (Mr. Charlton), appears also in the light of an historian. But those great men, my Lord Bolingbroke and Dr. Arnold, say that the way to make history useful is to find out the crises in history which would correspond with the crisis in your own country, and that you must note the measures which were successful at a given time and under

given circumstances, and, if the circumstances in your own country are like, you have a lesson by which to be guided. But how does the hon. gentleman deal out history to us? He flings us barren dates. I might ask him a few questions about his dates. Does he know—and I will pause for a reply—does he know the circumstances existing at the time in any one of these countries from which the Jesuits were expelled? I will ask the attention of the hon. member for North Norfolk (Mr. Charlton), if he can tear himself away from the dulcet tones of the hon. member for North Victoria (Mr. Barron). He has mentioned to us the cases of about a dozen countries whence the Jesuits were expelled. Does he know the conditions under which they were expelled? Does he know whether, where there was an insurrection, it was the insurrectionary Government or the Government which the people rose against that expelled them? Has he examined the question? Does he know anything about it? (Cheers.) I have no objection to sit down for a moment if the hon. member will tell us the circumstances.

Mr. Charlton—Will the hon. gentleman be kind enough to explain to us the circumstances under which they were expelled? I venture to say that the hon. gentleman knows nothing about the matter himself. (Derisive laughter.)

Mr. Davin—That would not be any answer. I did not bring forward these cases. I may be a very ignorant person, and I would be willing to learn from a superior man such as my hon. friend; but I will go over the circumstances, and I will say that it is very extraordinary that, in many of these cases set out in this pamphlet the Jesuits were expelled for meddling with such tyrants as have rarely existed in the history of the human race.

Mr. Charlton—What particular cases?

Mr. Davin—I think the hon. gentleman might keep quiet after he has declined to give the house the information I asked for. I will, with the sufferance of the House, go over the cases referred to by him for his information, and it may not be uninteresting. He says the Jesuits were expelled from France in 1804. By whom were they expelled? Does the hon. gentleman know? They were expelled by Napoleon, who had destroyed the liberties of France, and who was at that time the Apollyon of Europe. A year before he had wantonly declared war against England, and, if the Jesuits were his enemies and were expelled by and were opposed to him, with

whom were they associated? They were associated with some of the best men the world ever saw; they were associated with the Connaught Rangers, who came from the North of Ireland; they were associated with the sons and the fathers of Orangemen who went into battle to the tune of the "Protestant Boys." (Cheers.) So, if the Jesuits were expelled from France, they were in company with those whom my hon. friend, in his zeal for Protestantism, in his desire to destroy everything which is not in accord with his own cult, has associated himself with, and therefore he should not be angry with those Jesuits whom the enemy of the younger Pitt, of Madame de Stael, of whatever was free in Europe, or independent in France, expelled. In 1810 the Jesuits were expelled from Naples. Does the hon. gentleman know who expelled the Jesuits from Naples in 1810? They were expelled by a usurper. They were expelled by Murat, and it was very natural, if they were Neapolitane, that they, and many others with them, should show themselves hostile to the Government, and for reasons which, if the hon. gentleman enquired into them, he might approve. He speaks of their having been expelled from Naples in 1848. But who was on the throne at the time? It was Ferdinand, a tyrant so base and so cruel that even misfortune could not soften his disposition. Does the hon. gentleman know, in his zeal against the Jesuits, that he is drawing himself shoulder to shoulder with King Bomba? (Laughter.) I think henceforth we must call him the King Bomba of this House.

Sir John A. Macdonald—The King Bombast. (Laughter and cheers.)

Mr. Davin—The hon. gentleman shows us that he has an epic knowledge of history, and therefore he must be aware that the state of the people in the prisons of Naples at that time wrung tears from all Europe. In that very year he butchered his own people in the streets of Naples, and that city, surrounded by all that is beautiful in sky, and sea, and air, he made—to use the language of an historian of Italy—a very earthly hell by his crimes against liberty and toleration, *aye*—and against Protestants as well as Jesuits. In 1820, who ruled in Russia?—because he tells us that in 1820 the Jesuits were expelled from Russia. I think they must have done something dreadfully wrong. Had Alexander I. good reasons for sending the

nobles and burghers into exile in Siberia? If the Jesuits were expelled in 1820 from Russia, they were expelled in the company of the noblest men that ever Russia produced. Then the hon. gentleman comes to Spain, in 1826. My hon. friend's soul is stirred that the Jesuits were expelled from Spain in 1826. The fact that they were expelled proves, of course, that Ferdinand VII. had good reason to expel them? They must have done something very wrong. The despotism of Ferdinand VII. became a by-word. Liberals were executed for the profession of Liberalism, so that my hon. friend, if he had been there—he is a large-souled Liberal, though I sometimes think when I hear him argue that I could find a very small hazel nut in which his soul would find infinite room to wobble (laughter)—well, if he had been there he might have won the glory of martyrdom. The Bible was proscribed by Ferdinand VII.—my hon. friend professes to love the Bible—so that if the Jesuits were proscribed they were proscribed in company with the Bible. To read it was dangerous, to preach it was death, and the Jesuits were happy in being only expelled and not slaughtered. Then take the Papal States. It is a curious thing, it shows what charming inconsistencies there are in human nature—the fact that the Papal States expelled the Jesuits seems to him a terrible thing against them. He sees red at the introduction of the name of the Pope in the curious introduction to this bill in a way which has often led me to say to Orangemen who have spoken to me about it, that if I were the Pontiff of his church and Mercier had entrapped me into the position he has entrapped the Pope in the preliminaries leading up to this Bill, I would have excommunicated him for all time to come—(laughter and cheers)—because he has got the Pope into this bill not even with the dignity of an arbiter; he is brought in as a mere seal to guard Mr. Mercier against any after-clap, and in effect to enable him to secure that his bill should close this vexed question. My hon. friend sees red at the sight of the word "Pope." Pope disagrees with him. I notice that he is not at best a very ruddy gentleman, but if the word "Pope" is frequently mentioned in this House, I notice that a greener pallor spreads across that brow. (Laughter.)

In 1848 there was an insurrection, and the Pope fled. The Jesuits did not like this. What sort of men would they be if they did like it? They were members of his church, Do

you suppose they would be worthy the name of men at all if they had not felt disappointed, and angry, and ready to be aggressive, because the Pope had to fly? That they were expelled would not necessarily imply much discredit on their part. Then as to the Austrian Empire in 1848. In March of that year there was an insurrection in Vienna, and, if I remember rightly, in Milan, in Venice and Sardinia. In the summer the Emperor fled to Innsbruck, and the Archduke John took charge. Will the hon. gentleman tell me now, whether the Jesuits were expelled by the Government of the Emperor, or by the Archduke John, or by the insurrectionary Government that was ultimately set up? Because, sir, if the hon. gentleman has come here to-day and taken from a pamphlet these dates and slung them down on the table and asked men who are representing Canada to draw the ignorant inference that he drew from them, that because the Jesuits were expelled by these tyrannical Governments they must have done something dreadfully wrong—if he has done that he is not worthy of attention at any future time in this Parliament. I do not like their methods, but let us be just. Now, he speaks of Galicia. In 1848 the Jesuits were expelled from Galicia. Well, I have a right to know which Galicia. (Cheers.) Will the hon. gentlemen tell me which Galicia? (Renewed Cheers.) He is like one of the dumb dogs of Jupiter that cannot bark. (Laughter.) There is a Galicia in Spain, and there is a Galicia in Poland. We will suppose, because it is much more likely, that he means Galicia in Poland. Who expelled them? There was only one power that could expel them, in 1848, from Poland, and that was the most tyrannical emperor that ever sat on the throne of St. Petersburg, the tyrant Nicholas. I wish he had not borne that name. (Laughter.) In Sardinia, in 1848, again they were expelled. Now, why were they expelled from Sardinia in 1848? They might not have been very desirable guests at that time, with their audacity and intrigue, but where is the analogy between the condition of that country and ours? This was a critical time for Sardinia. Cavour, one of the greatest journalists and statesmen of Europe, had just started the REVIVAS newspaper. The King had just granted a constitution and definitely espoused the cause of Italian regeneration against Austria, and that great work was commenced which, some years afterwards, was

to receive a glorious consummation, when, with the sword for his talisman and liberty for his spell-word, Garibaldi was to chase, by the mere magic of his name, everything that darkened over the prospects of Italy. (Cheers.) Now, what analogy was there between that revolutionary state of things and a constitutional country such as ours, with liberty safe guarded, such a country, I believe, for freedom, as does not exist anywhere else in the world? What analogy is there between disturbed states like those, and a country like this? Yet the hon. gentleman comes here and flings down his barren dates. In 1860, again, Garibaldi expelled the Jesuits from Sicily, and why did he expel them? He had made himself dictator; he defeated the royal troops at Calatafimi; he stormed Palermo; he won Melazzo; he gave Sicily a new constitution, and in such a state of things the expulsion of the Jesuits may have been a necessity. It might be necessary under certain circumstances, even to expel the Knights of Labour; it might be necessary to expel all the lawyers; it might be necessary to expel any body of men in certain critical circumstances of the State, who were likely to menace the object that statesmen, having charge of it, had in view. But what analogy can there be between such a state of things and the state of things in Canada? Now, we were laughing a moment ago, but I think it is a great crime for a man occupying the high position of member of Parliament to go through the country, and, without ever enquiring into the circumstances in which these expulsions took place, to hold events about which he knows nothing, up before the heated fancies of ignorant men—good-hearted men, noble men in their way, but still not having sufficient time to test these things. He goes and reads out that the Jesuits were expelled here; were expelled there; they were expelled elsewhere, and he leads people to infer that they are a danger to every State, whatever its condition, and that they were always in the wrong, whereas in most cases they were expelled by despotic Governments. We know very well that in the history of the world there have been men who would exercise tyrannical power themselves, but would not allow anyone else to be tyrannical to the people; and the Jesuits, as the history of Europe shows, have, animated it may be by ecclesiastical motives, sometimes interfered on the side of popular liberty against the tyrannical con-

duct of tyrannical men. There are cases in which the Jesuits have been expelled for no other reason than protesting to the King against the number of his mistresses. The hon. gentleman (Mr. Charlton), I hope, does not mean to deceive the people, but I say, if he knows what he is doing, that he is guilty of a very great crime and very great misdemeanor. (Cheers.) I will ask the House to bear with me a few moments, because the hon. gentleman raised the question of

THE JESUITS' ESTATES ACT.

The hon. gentleman is a Protestant, and I am a Protestant, and if the hon. gentleman has a right, or thinks he has a right, to sympathize with the men who are most alarmed by the cry of "Jesuit," it must be remembered that I am an Irish Protestant, and hon. gentlemen well know that Irishmen feel strongly on most subjects, and especially on religion. If I had been in Mercier's place I would have been glad to have made the arrangement he effected. It was a good arrangement. Here was a property on which a cloud was cast—a cloud which lowered its saleable value fifty per cent. I know they had no right to cast a cloud upon it. What did Mr. Mercier say? I will read his words, because they have not been read by the hon. gentleman from North Norfolk (Mr. Charlton), and have not been read by the hon. member for North Simcoe (Mr. McCarthy), but I will read them to-night, and I say I have reason in the interests of the people of Canada to complain that when this Act has been flaunted in the popular face, those parts of it that would have shown its true character have been kept back and only those parts thrust forward that were

CALCULATED TO INFLAME PASSIONS.

We will suppose I meet an Orangeman in my constituency, who approaches me and says: "Well, we did not think you would do that." "What have I done?" I reply. "Voted for that Jesuit bill," he says. "Have you read the Act?" I ask. He replies, "No." I then say: "If you would like to read it, sit down and we will read it together." I then indicate the various points and show that a cloud had been cast on that property, as Mr. Mercier says, in his letter dated Rome, 17th February, 1888. I start out by saying that the Jesuits had no right whatever to that property. But there were eminent persons capable of of casting a cloud on its title; the Province wants to sell it and to remove that cloud. Now, what would a practical man do, under

the circumstance, but ask himself how to get rid of that cloud? He would not balance metaphysical niceties as to right or wrong, and say the church has no real right to so act; he would not even care about building up an idea as to moral right, but he would endeavour to make the best bargain possible in the interest of the province. Mr. Mercier said to the church: "Take off this cloud and I will give you \$400,000." The hon. member for North Norfolk (Mr. Charlton) has stated on platform after platform, and has stated in this House, and my hon. and learned friend from North Simcoe (Mr. McCarthy), than whom there is no one in Canada of whom I have a higher opinion, has stated, and I do not know how it happened that he has failed to see the matter as I see it, that the Pope was brought into the transaction as a sovereign prince. That is one of the charges brought against the Act. Here is what Cardinal Simeoni says:

"The Pope allows the Government to retain the proceeds of the sale of the Jesuit Estates as a special deposit to be disposed of hereafter with the sanction of the Holy See."

There is a condition. What would happen if he were a sovereign prince? As a sovereign prince he is *ex vi termini* sovereign and controls. He lays down what he wants to be done. Look at Mr. Mercier's answer:

"In the matter of the Jesuits' Estates, the Government respectfully objects to the condition imposed in the letter of Your Eminence of the first of March instant, and cannot expect to succeed in the settlement of this delicate question unless permission is given to sell the property upon the conditions and in accordance with the exact terms of my letter of the 17th of February last."

Why could he not expect to succeed? Because the real sovereign power was in the Queen and Legislature of Quebec. Nothing could be more peremptory than the language of Mr. Mercier. Is that language you would address to a sovereign prince? No. What happens? Does the Pope say then: I will wave my crozier over you and you will disappear? Does he put him under a ban and send him into nothingness? Does he inflict pains and penalties as a sovereign prince might do? Not at all. He at once comes to Mr. Mercier's terms. We read:

"The Pope allows the Government to retain the proceeds of the sale of the Jesuits' estate as a special deposit to be disposed of hereafter with the sanction of the Holy See."

Some orators have made a point with respect to the words "the sanction of the Holy See." But that language was necessary for Mr. Mercier's purpose of closing the thing forever, because if the property was not disposed of with that sanction, how would Mr. Mercier know that further claims would not be set up? In the letter addressed to the rev. gentleman who was authorised to deal with him, Mr. Mercier says:

"That in consenting to treat with you respecting this property the Government does not recognize any civil obligation." Could anything be more distinct? He goes on to say in paragraph 7:

"That any agreement made between you and the Government of the province will be binding, only in so far as it shall be ratified by the Pope and the Legislature of the province."

Further, in paragraph 8, it is stated:

"That the amount of the compensation fixed shall remain in the possession of the Government of the Province as a special deposit, until the Pope has ratified the said settlement and made known his wishes respecting the distribution of such amount in this country."

The object of Mr. Mercier in insisting on the ratification of the Pope to the bargain is clear—namely—to close the matter forever—by having the sanction of the highest authority in the body with which he was dealing. There is not a word about the Pope being brought in to ratify legislation. Whether the bargain would be accepted or not was a thing for the Legislature subsequently to decide.

And in paragraph 9:

"Finally that the statute ratifying such agreement shall contain a clause enacting that when such settlement is arrived at the Protestant minority will receive a grant in proportion to its population in favour of its educational works."

Mr. Mercier deals with a sovereign prince, who is at the head of an infallible church, who believes all Protestants to be heretics, and yet one of the conditions he lays down to this sovereign prince is that a certain sum shall be given to support the Protestants, the assisting of whom, must of course, be exceedingly wrong! (Cheers.) The answer of the Rev. Mr. Turgeon emphasises this point. He says in regard to clause 9:

"As this clause does not touch the question in which I am interested to treat with the Government, I wish you would dispense with my replying thereto."

Could anything more strongly mark the almost high-handed manner in which Mr. Mercier dealt with this question? Then Mr. Turgeon claims that two million dollars are due to the Jesuits; but Mr. Mercier disposes of that at once, and says in his letter of the 4th June, 1888: If you don't take the \$400,000 you will get nothing. Yet tosooth he is dealing with a man brought in as a sovereign prince. Then, when we come to the Act what do we read:

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

It is not the Pope whose name is brought in, but "Her Majesty by and with the consent of the Legislature of Quebec, enacts," and in the sixth section of the bill we read:

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

There can be no question that Mr. Mercier will find this

A GOOD BARGAIN FOR THE PROVINCE,

and I have no doubt that the payment of that \$400,000 will be found very advantageous by takings away that cloud which rested on this property and reduced its saleable value by 50 per cent. As I used to say to some persons who discussed this question with me, in my part of the country: Suppose you had 160 acres of very valuable land, and that there was a squatter on it, and the squatter thought he had some rights, although he really might have none, but he could give you some trouble, would you not give him \$50 to get him out quietly? They always understood that argument at once. I have not spoken to a single man in this way, Orangeman or other, who did not feel that the manner in which certain honourable gentlemen have presented this question throughout the country was deceptive and misleading, and I will say that it seems to

me almost wicked. I need not waste the time of the House on the question whether the passing of this Act was within the powers of the Quebec Legislature. Who doubts that Mr. Mowat before he dissolved could have, if he secured a majority of the House, given \$400,000 to the Methodists or any other body of Christians? One of the reasons for which the hon. gentleman condemns the Jesuits is, that they being professed ecclesiastics aim indirectly at political power. Why, sir, the hon. gentleman himself stands self convicted of the most sinister offence that rightly or wrongly is attributed to the Jesuit body. (Cheers.) He makes in this Parliament a speech which will be scattered broadcast throughout the country, and which is capable of arousing the passions of the people. For what purpose does he do so? It is for the purpose of gaining political influence, for the purpose of gaining power and to swell his own importance. (Cheers.) What is that, sir, but playing a Jesuitical part? It is more than playing a Jesuitical part, because, so far as my reading goes, I have never found a single case in history, where in so barefaced a manner, men openly declared that they were playing a part for an unworthy end, and not even assuming the appearance of virtue, whether they had it or not. Now, Mr. Speaker, the hon. member for North Norfolk (Mr. Charlton) referred in his speech to "Him whose Kingdom was not of this world." I believe, sir, the hon. gentleman is a professed follower of Him whose kingdom was not of this world. I believe he is a professed follower of Him who has left us teachings which, so far as my reading goes—and it runs in a sort of way, I suppose, over five or six literatures—there is nothing in this wide world that has been written from the birth of time to compare with those writings. And what, sir, is the cardinal doctrine of it all? It is charity; love to your neighbour, pity for mankind, kindness, making people love each other, and you loving your brother. That is the doctrine which runs through the teachings of Him whose kingdom was not of this world. But here is a gentleman who makes professions which I would not presume to make, and yet, sir, though I do not make these professions, I would cut my right hand off before I would take part in an agitation, as he has done, so calculated to set man against man and to raise up among our people malignant, malicious, foolish, damaging and dangerous passions. (Loud cheers.)



