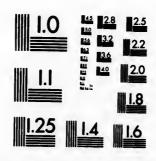
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A NOTE,

IN ADDITION TO THAT OF 1845,

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JESUITS' ESTATES,

AFTER THE SUPPRESSION AND SINCE THE REVIVAL OF THE ORDER, AND ON THE USES TO WHICH THEY HAVE BEEN APPLIED.

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JESUITS' ESTATES,

AFTER THE SUFPRESSION AND SINCE THE REVIVAL OF THE ORDER, AND ON THE USES TO WHICH THEY HAVE BEEN APPLIED.

Last year, during the session of Parliament, it was proposed to determine the use to which the Estates of the late Order of Jesuits were to be applied. The Bishops, who claimed those Estates for the purposes of catholic education, presented to the several branches of the Legislature an humble petition to that effect, accompanied with an argumentative Memorandum in which it was clearly shown, it seems to us, that those Estates having been originally acquired or given for the propagation of the catholic faith among the Indians, and the promotion of catholic education in the colony, equity required that, since the government surrendered them to be applied towards the attainment of the

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original object, they should be intrusted to the Bishops, by whom alone that object could be fully accomplished, The members of the Ministry and several other members of the Legislature, however, absolutely maintained that the protestants ought to have a share of those Estates in proportion to their numbers, enter into the merits of this question, as it was sufficiently discussed at the time in the newspapers, and moreover because the reason of the strongest, as the celebrated fabulist has it, is always the best: " La raison du plus fort est toujours la meilleure." we have thought it would be interesting to the public to know the uses to which the Jesuits' Estates have been applied by protestant as well as catholic governments, in those countries where establishments of the order existed at the time of its suppression, and also the use that has been made of them in Canada from 1800 It will be seen that the protestants of this province, and the protestants alone, with very trifling exceptions, have profited by those Estates. As it is now proposed to divide anew between them and the catholics, it seems to us of the strictest justice to begin by setting aside, for the catholics alone, and before talking of any division, a sum equal to that which has been given to the protestants, whether for religious objects, pensions, or unknown services, etc., etc., etc. These, it will be seen, amount to the pretty little sum of £38,762 12 41, not including the expenses of management, outstanding capitals, claims against McGill College, etc., etc., etc.,

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which swell the total amount to £47,244 7 3½. We have taken for our guide a Report made to the House of Assembly of Lower Canada on the 7th February 1832, which is to be found in the Journals of the House, Appendix Ir. There are, however, in the calculations of this Report, some omissions and errors of addition which we do not undertake to correct.

The estates possessed by the Jesuits, before their suppression in the last century, were held by them as church property, which possession and tenure were admitted and protected by the laws in all catholic countries. In countries not catholic, these estates were either regarded, in virtue of treaties, as church property, and, as such, under the protection of the laws (thus—in the parts of Silesia and Poland subject to Prussia, in the part of Lithuania subject to Russia, in virtue of the Pacta conventa); or they were considered merely as property belonging to private individuals, or even to a catholic congregation, and in the same predicament as all other private property.

I. When Clement the XIVth suppressed the Order of Jesuits in 1773, by the brief *Dominus ac Redemptor*, he reserved to himself the eight of applying to pious works, and according to the intentions of the founders, the real property or revenues of the extinct society.

As to the individuals composing it, the Pope left them free to enter other religious orders or to remain in the world as secular priests, assigning to each, in the latter case, a suitable pension out of the revenues of the religious house or college in which they lived, etc.

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To the professed members of the order the Pope, besides, left it optional to remain, as long as they lived, in the houses which they previously inhabited, on certain conditions, etc., "so that the houses vacated might be converted to pious uses, as might appear, from the circumstances of time and place, to be most conformable to the holy canons and to the will of the founders," etc., etc. (Such are the words of the brief Dominus ac Redemptor.)

In fact, the estates of the Jesuits in Rome and the rest of Italy were, agreeably to those provisions, applied to pious or religious uses, and their colleges, according to the intentions of the founders, were dedicated to education, etc. There exists a brief of Clement the XIVth, of the 3rd April, 1774, wherein, after commending the flourishing state in which the Jesuits left the Roman College and Seminary, he appropriates these two establishments to education as formerly. The Pope, however, was obliged to add an annual sum to the revenues of the college, which, though sufficient for the Jesuits, were not so to support the new professors.

But when the Order had been solemnly revived by Pius the VIIth, in 1814, this Pope then, and his successors since, restored to the Jesuits their former possessions. On the 7th August, the very day on which was published the Bull reviving the Order, Sollicitudo omnium Ecclesiarum, etc., in presence of more than fifty old Jesuits, cardinal Pacca caused to be read an edict of the Sovereign Pontiff commanding restitution

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to be made of the existing funds of the Order, and indemnification for those that had been alienated. (L'Ami de la Religion, vol. II, page 215.) At a later period, Leo the Xth restored to the Jesuits the Roman College (brief Cum multa in urbe, 17th May, 1824).

II. Among catholic princes, some had suppressed the Order of Jesuits in their dominions before the brief of Clement the XIVth, others only suppressed it in obedience to the brief of abolition. In both cases, the estates of the Jesuits, which could no longer legally belong to the Order suppressed by authority of the ecclesiastical or the civil power, or of both conjointly, were generally applied, or at least supposed to be applied to pious works, education, missions, etc.

In countries not catholic, the Jesuits' estates, generally and with few exceptions which will be mentioned, were left in the hands of the existing members of the suppressed Order.

PORTUGAL AND SPAIN.

And, first, of the catholic princes who suppressed the Jesuits before the decision of Rome, namely the kings of Portugal, France and Spain, the king of Portugal, or rather his all-powerful minister Pombal, disregarding all laws, divine, ecclesiastical or civil, and even the most sacred rights of humanity, arbitrarily seized upon the estates of the dispossessed Jesuits, and while affecting to appropriate those estates, of

ecclesiastical origin, to pious works, enriched his own creatures with them.

When, in 1829, Don Miguel, then king of Portugal, recalled some French Jesuits into his dominions, all the former property of the Jesuits either had passed into the hands of other religious orders, or of ecclesiastics, or served to support public establishments of education.

The new Jesuits were few in number; the old Jesuits' house of St. Anthony in Lisbon, in which had formerly dwelt St. Francis Xavier and Fathers Simon Rodriguez, Lewis Gonsalez, de Camera, Ignatius Azevedo, etc., etc., was given up to them; and afterwards, on the 9th January, 1832, Don Miguel signed an edict reinstating them in their former College of Arts at Coimbra; they were expelled by an edict of Don Pedro of the 24th May, 1834.

The king of Spain, Charles the IIIrd, in his famous Pragmatical Sanction of the 2nd April, 1767, by which he suppresses the Jesuits in his dominions, enacts that their estates shall be taken from them, but without prejudice to the charges with which they were burthened, to the intentions of the founders, or to the alimentary allowances of individuals, etc.; and further on: "As" to the management of the estates of the society, and "the equivalent application to be made of them to pious works, I reserve myself to provide for the same," etc.

His successor, Charles the IVth, entered into an arrangement with the Pope for the legitimate application

of those estates, and, by consent of both powers, a part of them was alienated and applied to pious works, as well as the revenues of those that remained unalienated.

In 1816, when the Jesuits were solemnly reestablished in Spain by Ferdinand the VIIth, the income arising from the estates that remained unalienated was at first applied to the support of the Fathers; but soon after, the king, by different decrees, restored to them the proprietorship of their former possessions.

The last revolutionary tempest, that has blown over Spain, has swept away the Jesuits and all other reli-

gious orders from the Peninsula.

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NAPLES, SICILY AND FRANCE.

The king of Naples, who followed the example or rather the mandates of his father Charles the IIIrd, king of Spain, in expelling the Jesuits, said in an edict of the 28 July, 1768: "The sovereign power, which "we hold from God, having permitted us to explain and commute the will of those who, when leaving their property to the aforesaid Society of Jesus, intended to appropriate it to the spiritual good of their fellow-citizens through the works to which the Society professed to devote itself, we have been careful to establish public schools, free colleges," etc., etc.

Restored in Sicily by the same Ferdinand in 1802, the Jesuits recovered a part of their estates that had not

been alienated; the government and private liberality supplied the rest. Restored in Naples in 1820, they

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received liberal grants from the king, etc.

In France, the Jesuits' estates were seized by decree (arrêt) of the local parliaments, ostensibly to pay the debt of Father Lavalette, but in reality the more surely to destroy the Order of Jesus in the dominions of the Most Christian King. Indeed, no sooner were the Jesuits suppressed, than their estates, which were of ecclesiastical or pious foundation, were declared, by decrees of parliament, edicts and letters-patent of the king, to be appropriated to pious works, such as the education of youth, missions, and others, according to the intention of the founders. In the work entitled: "Recueil par ordre de dates des arrêts.... du parlement de Paris touchant les Jésuites, de 1761 à 1765 " (Paris, 6 vol. 4to, Simon); are to be found all the acts, decrees, edicts, etc., appropriating the estates of the Jesuits to the colleges they had directed, and declaring that these colleges had passed into other hands, either 1st of a religious congregation, such as the Oratorian Fathers, put in possession of the colleges of Lyons, Tournon and several others, or 2ndly into the hands of secular priests, as the colleges of Paris, Amiens, etc. These colleges are confirmed anew in possession of the property by particular edicts and letters-patent for one or several of them, or by general provisions, as may be seen by the arret of the 23rd April and that of the 28th August, 1762. The latter

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s and eneral 23rd latter sets forth the great principle on which the several decisions of the court are founded: they are, it says, grounded on a motive of equity which dictates all the decisions of the court, to wit, that it is but just that the revenues of estates granted to a college be applied to the use of that college.

The creditors of the Jesuits having fyled an opposition, the king and parliament confirm the colleges in the possession of their estates by letters-patent of the 21st November, 1763, of which the following are some of the clauses:

Article 1st. All property, moveable or immoveable, without exception, given or bequeathed to, or in whatever manner acquired by, the colleges heretofore directed by the said Society of Jesus, or which may be found in the said colleges or places dependent thereon, without exception, and all grounds and buildings forming part of the said colleges, shall belong to them in full property for ever, and shall not be comprised in any manner or form, or on any pretence whatsoever, in the law-suit brought against the estates of the said Society by the trustees of its creditors, etc.

Article 2nd. The said property shall remain subject to all the endowments and other charges whatever, duly established, etc.

In the 4th article, the parliament grants some satisfaction to the creditors: the college of Louis-le-Grand, at Paris, shall pay them 300,000 franks; that of la Trinité, at Lyons, 250,000; that of La Flèche,

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100,000; that of Rheims, 40,000; the other colleges, one year of their revenues. And not only was it the will of the French government that the property of the Jesuits' colleges should be appplied to christian education, as originally intended, but also that it should serve to discharge the other obligations imposed by the founders, as may be seen by the 2nd article of the letters-patent of the 21st November, 1763, above quoted; and by the arrêt of the Parliament of Paris, dated the 22nd July, 1763, it is ordered that the titles of some establishments of the Jesuits, charged with missions in favor of certain cities and boroughs, shall be examined into, in order to ascertain whether such charges exist and have been duly established, and, if so, to determine in what manner provision shall be made for their discharge out of the funds of the colleges that may be charged therewith, etc. For the accomplishment of these two important objects, the attorneygeneral has felt it his duty, etc.

As to the property of the foreign missions on which the Jesuits served, it passed nearly all from their hands into those of the Lazarists or of the Priests of the Paris Seminary of Foreign Missions, who succeeded them in these functions: thus, at Constantinople, Smyrna; in Syria, at Beyruth, etc; in China, at Macao, etc., the Lazarists; at Pondichery, the Priests of the Foreign Missions, etc., etc., etc., etc.

The catholic States which only suppressed the Jesuits in virtue of the decision of Clement the XIVth, almost

all made arrangements with the Pope concerning the uses to which the estates of the suppressed Order were to be applied.

GERMANY AND POLAND.

In Germany, the emperor Joseph the IInd, leading almost against her will the empress Maria-Theresa, his mother, assented at last to the Bull suppressing the Jesuits, but on condition that their estates should be abandoned to him. It was a bargain nearly similar to that made by the traitor Judas when selling his master: Quid vultis mihi dare, et ego illum vobis tradam? Noble England would not assuredly have sought a precedent in a transaction so ignoble.

It must be said, however, that nowhere the members of the suppressed Order were treated with more distinction and munificence than in the dominions of the empress Maria-Theresa. All had sufficient pensions conferred on them; the principal, rich livings; a great

number, honorable and lucrative situations.

The ex-Jesuits were treated nearly in the same manner in the States of Genoa, Venice, in those of the king of Sardinia, etc., etc.

In the last mentioned States (the kingdom of Sardinia and Piedmont), the Jesuits, since 1814, when they were reestablished there, have experienced the munificence of the successive monarchs, who have founded several colleges intrusted to them, and have

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done all they could to restore the former possessions of the Society: thus, among others, the old college of St. Theresa, at Cagliari, was restored to the Jesuits in 1834; the church and college Dora Grossa, at Turin, in 1833.

In Poland, the destroying brief was not accepted without great difficulties; many senators proposed that it should not be assented to. Another cause of embarrassment was, that the Pope having recommended the Jesuits' estates to be divided among the poorer religious orders, the Republic protested against such a division. (Journal Historique et Littéraire, 1837, p. 344.)

The king of Poland, as chief of the commission of national education, selected the ablest among the Jesuits and placed them at the head of the establishments of public instruction; the others got pensions, etc. etc.

The commission appointed in Poland to manage the Jesuits' estates laid down as a rule that no one should purchase for less than 300,000 Polish florins of them at a time: so that rich landlords alone could purchase any. By this condition it was evidently intended to afford the Society the greatest facilities for repossessing its estates, should the Holy See, at a future period, revive it.

ENGLAND, PRUSSIA AND RUSSIA.

In the non-catholic States where they had no legal existence, as in England, Holland, etc., the Jesuits

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preserved their estates as private persons. We shalf speak of these by and by.

The non-catholic States in which they were recognized by government in virtue of public treaties, were Prussia and Russia.

The king of Prussia, Frederick the IInd, had pledged himself to maintain the catholic religion in the newly acquired countries, Silesia and part of Poland. He did not allow the destructive brief of Clement the XIVth to be published in his dominions; he even negotiated secretly with the Pope to keep the Jesuits in statu quo; and in January, 1776, he wrote to the catholic Bishops of his kingdom: "I enjoin you not to "alter in anything the spiritual or temporal state of those Fathers (the Jesuits), but rather to leave all "in statu quo."

It is true that afterwards, yielding to the importunities of the bishop of Breslaw, his relative, he consented to the secularization of the Jesuits, still maintaining them at the head of public instruction in his cathelic states. Those Fathers gradually became extinct, as they received no novices to perpetuate them.

It was not so in Russia, where the empress Catharine the IInd, not satisfied with having prevented the publication of the brief of Clement the XIVth, afterwards obtained that the Jesuits might receive novices and live as a religious community. Not only did she leave them in possession of their property, but she even declared, by an ukase passed in full senate, that the

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How and why Alexander the Ist undid the work of Catharine is well known. (See Crétineau-Joly, Hist.

of the Jesuits, vol. IV, chap. 1.)

In Holland, the government left the Jesuits, after the extinction of their Order by the Pope, in possession of their estates and offices; at Maestricht, they were even required to keep their religious habit and continue their fonctions as professors. In this country, the ex-Jesuits transmitted to each other their estates, houses, churches, etc., till the revival of the Order in 1814.

In 1828, some disputes having arisen about the possession of certain ecclesiastical estates in Holland, the pope, Leo the XII, declared, and had it published by his internuncio, Monsignor Ciamberlani, that all the missions (endowments of churches, religious houses, etc.) which had belonged to the Society, should be preserved or restored to it.

In England, the Jesuits, who from the commencement of the 18th century had begun, with their own money or that which pious catholics furnished them, to acquire houses, small chapels, etc., continued after 1773 to exercise their same ministry, and retained all their possessions which they transmitted to each other. In 1803, the Fathers of Stonyhurst College had reunited with the Jesuits of Russia. They formed young

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priests to succed the old Jesuits who still occupied the former missions. On occasion of a difference which arose between some English clergymen and the Jesuits of this college, cardinal Litta, prefect of the Congregation de propaganda Fide, wrote to Dr Gibson, vicar apostolic of the Northern District, to remind him of the 22nd rule given by Benedict the XIVth, on the English missions, and of which the following are the terms: "Let nothing be altered touching the endow-" ments, and let the priests, both secular and regular, "remain in possession of those they now occupy."

In 1773, the British government not only seemed to wink at the existence of the Jesuits in Great Britain and their possessions, and at the peaceable transmission of their estates, but even protected them against the practices of secret agents sent to England by their enemies in Italy; which made Frederick, king of Prussia, say, when writing to D'Alembert on the 7th January, 1774: "I am not the only one who has "retained the Jesuits; the English and the empress of "Russia do the same." (Œuvres de D'Alembert, tome XVII, page 378.)

In 1762, while the French parliaments were proscribing the Jesuits and so shamefully despoiling them of their property, the English took Martinico, and under their kind protection the Jesuits of that island sold their estates to subjects of the British crown for three or four millions.

The following fact will illustrate the good faith and

liberality of the British government towards the religious orders of the catholic church.

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The emperor of China, Kang-hi, having been cured of a serious illness by Father Bernard Rhodes, a Jesuit coadjutor, testified his gratitude by giving some ingots of gold to the Jesuits of Pekin. These ingots were sold and brought the sum of 200,000 franks. The superiors of the mission invested this sum in the English East India Company, on the sole condition that the annual interest (12,000 franks) should be appropriated to all the Jesuit missionaries of China or India who might be in want. On the destruction of the Order, the English Company was about to follow the example of certain catholic princes. It confiscated the 200,000 franks and ceased to pay the annual interest to the Jesuits, for the purpose of devoting it to the support of The ex-Jesuits of Pondichery brought their complaint in London, and the governors of the Company wrote to their agents that if other governments had committed so grievous an offence against the law of nations, it was no reason why the East India Company should imitate them. They directed the capital to be preserved untouched, and the interest to be paid; they even commanded three years' arrears to be refunded. When the last Jesuit died at Pondichery in 1813, the Congregation de propaganda Fide, at Rome, decided that this fund should be appropriated to the Chinese missions.

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It is known that lord Amherst had obtained from the British government the inheritance of the Jesuits for the eminent services he had rendered while commanding in America; but the difficulty of carrying this project into effect caused it to be abandoned. Not only the estates were preserved, but also the revenues, which were never mixed up with those of the government. It seems as if an especial providence had watched over those estates, to preserve them in order that they might one day return to their primitive object, namely, the propagation of the catholic faith and catholic education.

A part of the estates has been sold, and a considerable amount of money arising from the sales (£11,396 9 $11\frac{1}{2}$) has remained in the hands of the purchasers, of which we suppose they annually pay the interest to government. Another part of the estates is occupied for public uses, and appears to yield no revenue. The following is a list of them.

In the City of Quebec.

The Jesuits' College is occupied as barracks, and the college grounds serve as a place of exercise for the troops.

On the ground on which their church was situated, now stand the butchers' stalls.

A ground of irregular figure, near the Jail, is oc-

cupied by one of the fire companies with an engine-house.

A ground situated on D'Auteuil street (Esplanade) has been granted to the members of the Congregation of *Notre-Dame de Québec* by letters-patent of the 19th November, 1817.

Another ground on the same street has been granted to the English National School, by letters-patent dated the 5th July, 1830.

A ground at La Vacherie is in possession of the trustees of St. Roch's Church.

On another ground at La Vacherie the Marine Hospital is built.

Remark.—The two last mentioned lots comprise the extent of ground between Panet street and the old Dorchester Bridge, and contain about three arpents.

Another ground at La Vacherie, containing about 30,341 superficial feet, is in possession of the (English) Episcopal Church.

Another ground at La Vacherie is reserved for a market place.

In the City of Montreal.

The whole property, with the exception of three small lots, is occupied by the Court House, the Jail and a vast *Champ-de-Mars* (parade ground for the troops).

In the Town of Three-Rivers.

A great extent is occupied as barracks and a market place.

At the Village of Laprairie.

Two lots, containing an arpent each, are occupied by a church and burying ground.

[The subjoined Table shows the present state of the revenues arising from those estates, and the manner in which they have been applied.]



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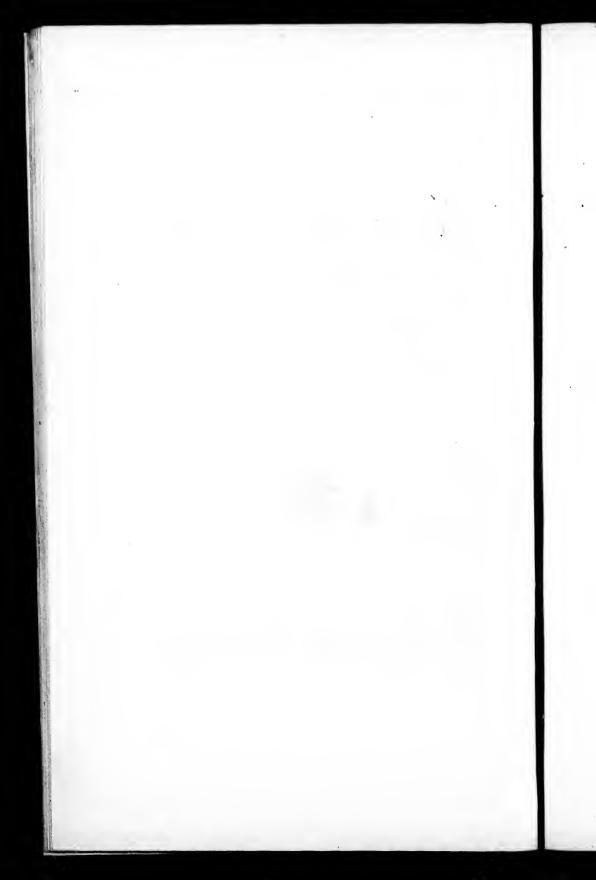
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EXPENDITURE.

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Objects unknown,	6321	16	10	1
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Pensions.	822	2	0	1
Chsplain,	983	3	2	
	£47243	7	31	1

Receipts, Expenditure, 4724 £ 234 Balanca, Adding to this sum that paid to the Commissary general, which appears to have been returned by him, viz:
The balance which onght to remain in favor of—the said estates is, £846 REMARKS.
(1) This sum was paid to S. Sewell.
(2) This sum was paid to the Honorable J, Sewell

ERAL STATEMENT

E AT WHICH THE GOVERNMENT TOOK POSSESSION OF THEM IN 1800 TO THE YEAR 1831 INCLUSIVE.

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hich ought to remain in favor of-£8462 3 91

REMARKS. was paid to S. Sewell.

was paid to the Honorable J. Sewell " to reint-

burse him so much in going to England in 1814 end returning in 1816."

1816."

(3) The items in this column were paid to the Commissary-General, but by him since refunded.

(4) The items for pensions consist of an allowance made to the Honorable II. W. Rylaud and to George Ryland, of the half of the salary which they formerly received the first as treasurer and the second as clerk to the Jesuis' Estates, and of a pension granted to the Misses De Salabery.

(5) The Items for Chaplain were paid to the reverend E. Sewell, as minister of the Chaple of the Holy Trinity at Quebeo, with arrears from the 27th November, 1825.

