The Victoria Warder

FRIDAY, MAY 10, 1889.

The Debate in the House of Commons on Col. O'Brien's resolution re Jesuit Bill.

(Continued from last week.)

HAS COME FROM THE PEOPLE.

It is prompted not by what it is sometimes called the professional politician. It is from the people direct. It has been supported by the people, and it is bound to succeed. The great question which this measure involves is, perhaps, the one which excites naturally the greatest indignation, and which has called forth the greatest agitation, but it is impossible to believe that the men who are at the bottom of it are agitating for any motive of aggrandizement. I was astonished to hear my hon. friend from Lincoln speak of these men. "They were ministers." Dr. Oxen, a man with whom I have not the honor of a personal acquaintance, who differs from me in politics and is entitled to the highest respect wherever he is known, and Dr. Scatford, are not thus lightly to be spoken of.

AND SNEERED AT

because they have stepped out from the ordinary walk of their calling, determined to uphold the rights of the citizens. I pick up with rapt attention to the speech of whom fell not behind me (Mr. Colby). Any censure, he said, that you make upon this Government must fall on the Protestant minority of Quebec. I ask the members who repose in the Protestant constituencies of Quebec to say whether or not the pleasant condition of things depicted by my hon. friend from Stanstead really exists. His language would seem to imply that the Protestants enjoy every possible liberty. Why they were allowed to manage their own little Protestant affairs as if there was no majority at all. They were not thwarted nor interfered with by this majority.

INSTANCES OF TOLERATION.

The instances he gave us of this spirit of toleration were, to my mind, most unfortunate. He mentioned Mr. Joly. He was the leader of the Liberal party, but my hon. friend forgot modern history so far as not to mention that he was denounced from his position. He (Mr. Colby) next spoke of the Protestant paper, the Witness. The Witness never said anything. The Witness and La Canada recognized under the ban of the Church. The educational fund, hitherto belonging to the Protestant and Catholic alike, had been disturbed, it had become a part of the revenues of the country, and yet the Protestant minority had no word to say against this act of spoliation.

WHAT PROTESTANTS WILL TAKE.

I am glad to understand that the Protestant minority are always willing to take just what is given, as has been stated here by my hon. friend from Stanstead. It has been stated that no Protestant raised a cry in the Local House. If the Protestants only come here to carry on the schemes of the other side, we do not realize the position. We imagined they were speaking for their race and their religion, but it turned out they are only the representatives of the majority. When this cry is raised, when this body is assailed, if we venture to raise such a cry it is said that the Protestant representatives will lose their seats. Sir, I cannot believe that this is possible. I cannot think my hon. friend right in supposing that to do so he would lose his seat. For, frank discussion upon a subject like this is proper. As my hon. friend made his statement there was no Protestant outcry. I saw a report that petitions were being collected in the city of Montreal, and that three thousand names had been received from the different ends of the province asking the Governor-General to disallow this measure. Does that look like this assent to which my hon. friend refers? Does that look as if we are desirous, and anxious and willing that this legislation should remain unchanged, or did it not look like this—give the Protestant minority in that province reasonable encouragement, and give them justice, and not more than justice? That is the only province where for months there was not a Protestant represented in the Cabinet, and when a Protestant representative was chosen he had to be elected in spite of the vote of the Protestant minority. And what use would it be? I can understand

A FIGHTING MAN

like my hon. friend who leads the third party, being heard, but we were told that even the Herald did not state anything about this iniquitous scheme. I am astonished at that, because the hon. gentleman said that had he been there he could not have approved of it. In fact, I have heard no person approving of it, so it was a measure without a defence. Mr. Colby himself approves of it. My friend from Lincoln might approve of it in his heart to have a perfect freedom of religion, not to drive the French out of Canada, perhaps he does. He is the only one so far who has approved of it. My hon. friend opposite told us that had he been in the Legislature, certainly he would not have approved it. What came over the great organ of public opinion? Wasn't it because it was a good organ of the Government? There was a day when the great organ of public opinion was the protestant organ of the province. There was a day in times gone by.

CONCLUDING WORDS.

Now, I think we are encouraged to persevere in the course we have pursued, the course we have taken up in accordance with the public opinion which we see now, at all events, aroused and manifesting itself in the Province of Quebec. I cannot do better than close in the language of Dr. Cavan: I adopt every word which that distinguished gentleman said the other evening on this subject of the allowance. Speaking on this question, he says:

He was quite willing to admit that within their own district limits the autonomy of the province ought to be respected. Under the Act of Federation certain subjects were designated as belonging to the Dominion, and certain subjects were made as being within the jurisdiction of the several provinces; and while he had never committed himself to the principle as a universal principle, that the central authority could not revise the Acts of the provinces that were within their own limits. While he distinctly desired not to be committed to that principle, while he did not hold that as a general thing it was a safe and wise principle, as long as the provinces were kept fairly and definitely within its own limits, even though its action is not the wisest action, that the central authority should be very careful about revising it, he believed that occasions did arise when it was not simply permitted to the central authority, but that it was the bounden duty of the central authority to revise provincial legislation, lying distinctly within the limits of the province. He supposed on most subjects he would be regarded as thinking with the liberal party, but if the liberal party had ever taken ground in opposition to that he must beg to be excused from following the liberal party. He supposed that it was a bold thing for a man who was neither a lawyer or a politician to say, but he was prepared to take the ground that the Jesuits' Estates' Act was not within the limits of the Province of Quebec. So far as it dealt with education it was within those limits, so far as it dealt with money it was within those limits, but he thought he could show that it was marked by features which took it out of those limits, and making it a matter that the Dominion ought to deal with.

It being six o'clock, the Speaker left the chair.

SIR JOHN THOMPSON.

THE MINISTER OF JUSTICE EXPLAINS THE GOVERNMENT'S POSITION.

Sir John Thompson, on rising, was greeted with cheers. He said: I feel that in addressing the House upon this question and in presenting to it at this stage of the debate the reasons which I conceive justify the Government in advising his Excellency not to withhold his assent from the bill, not to exercise the power of disallowance, I must ask more than the usual indulgence of the House. I shall be compelled in the first place to dwell at considerable length upon details which the House has already discussed at considerable length, and I shall have to speak under a sense of the fact that with one great portion of the community of Canada nothing that I can say will be satisfactory, and that to another, and I hope the greater portion of the people of Canada, no defence of the Government is necessary upon this question. Nevertheless, considering the arrangement which the policy of the Government has had upon this question, considering the interest which the measure has excited in all quarters of Canada, it is only becoming that I should ask the patience of the House, if need be, in order that I may make to the House a plain statement of the reasons which have induced us to give to his Excellency the advice for which we are being held responsible to night.

EXCEPTIONS TO MR. MCCARTHY.

I desire, before beginning a statement of these reasons, to take exception to one remark which was made by the hon. gentleman from Simcoe at the outset of his address with reference to the position which we occupy in this debate. The hon. gentleman, in complaining that no member on the treasury benches had risen to take part in the debate down to this stage, complained of it almost as an act of discourtesy. He seemed to think that the mode in which the debate should be carried on was a mere matter of politeness and a mere matter of favor. I do not so regard it. I understand the position of the case to be this: That the case on behalf of the amendment was presented forcibly and ably last night by the hon. gentleman from Muskoka, sustained by a gentleman on the opposite side of the House, but I leave for the sense of the House whether when the debate closed at near midnight last evening any argument remained unanswered which called for an answer from the treasury benches. (Cheers.) But with regard to the hon. member's complaint on the ground of discourtesy, I have to appeal to the sense of fairness of the House in these terms: No member on either side of the house was unaware from the commencement of this debate that the main grounds on which the right of the Government in this matter would be assailed would be presented by the hon. member for Simcoe. I was the Minister who, if there be a difference between colleagues as to the extent to which responsibility is shared, was primarily responsible, and I submit it to the sense of fairness of every member of this house whether before stating the reasons upon which I must stand or fall as regards the correctness of the advice which I have given to his Excellency, it was not my right to hear my accuser before I replied. (Cheers.) The hon. gentleman thinks otherwise, and the position which he takes is this, that courtesy to him and to the gentlemen who will divide with him to-night, requires that his arraignment of my report, his arraignment of the Government with regard to every step of this transaction, should be made after my month was closed, and I ceased to have a right to defend myself. If there is any fairness, or any courtesy in that position, I am willing to submit that I am wrong in reserving the remarks which I had to make with regard to my attitude on this question. Now, in presenting the case which I have to present

ON BEHALF OF THE GOVERNMENT

to-night, I must ask your attention for a few moments again to the wearisome narration of the position which these lands occupy in the Province of Quebec. Not that that matter had not been discussed in every detail, but because in almost every detail I have essential differences of opinion from my hon. friend from Simcoe, and because in some respects the points on which this case depends were lost sight of by the hon. member in the admirable address which he made this afternoon. Why, sir I venture to think, and I venture to say, without the slightest disrespect for the hon. gentleman for whose talents no one in this House has a higher respect than I have, for I would be the last person to disparage any observations which he might address to this House. I might venture to say that the reason why this House ought not to address his Excellency now to disallow that Act, was that the hon. member for Simcoe, if we had no better reason, a master of legal argument, addressed the House for nearly three hours this afternoon, and presented a case upon which, to say the least of it, the greatest doubt must depend, presented a case in which for one whole hour the hon. gentleman went from detail to detail, from step to step, for the purpose of proving what? For the purpose of proving that the Jesuits of Quebec have no legal title to these estates in question, a fact which is admitted in the preamble to the bill; spent an hour more in discussing theological questions and questions connected with ecclesiastical history in England, which in England itself, and in every one of her colonies, has been sent to sleep for the last 200 years by

THE SPIRIT OF TOLERATION

as which alone a British country can be governed. (Cheers.) Now, let me call the attention of the House to a brief statement with regard to the position in which these estates stood, not for the purpose of showing that these people in the Province of Quebec, whatever the character and merits may have been, had a legal title to this property, but for the purpose of showing that this is not a question which we can weigh, upon which we can divide, but which must and ought to be left in every one of the provinces to that authority which the constitution makes not only entitled to dealing with those questions, subject only to control in so far as the rights of the whole Dominion and the policy of the Empire may be involved. Now the House will remember that long before the cession of Canada to the Crown of Great Britain the Jesuits had labored in the wilderness, in the schools and in the churches of Canada, and that as a reward for their missionary zeal, for their talents as teachers and for their services to this, one of the great colonies of France, that order had been erected into an incorporated body under the most solemn Acts which the King of France could pass under his hand—and been endowed with these estates by the King of France, and by private donors who wished to place in their hands the means by which the work of Christianity and civilization among the savages could be carried on; and by which the work of education among the youth of the Province of Quebec could be conducted. These were the terms on which they held their lands when the battle was fought on the plains of Abraham and the conqueror took possession under terms which are in the first place set forth in the capitulation of the city of Quebec, afterwards in the capitulation of the city of Montreal, under terms which are plainly defined by the law of nations recognized in every civilized country in the world.

WHAT ARE THOSE TERMS.

by the law of nations, as I have said, recognized in every civilized country in the world? The conquering power took possession of all the rights, privileges and powers which the conquered monarch had in the country. He took possession of no more. He took the sovereignty of the country; he took the King's fortifications of the country; he took the King's stores of arms and ammunition in the country, he took the King's lands and treasures in the country, but he was powerless by the law of nations to lay his hand upon the property, movable or immovable, of the humblest in the country, and if he had done otherwise it would have been an outrage on the law of nations which would have disgraced the British arms. He would have committed an act, let me tell the House, which, irrespective of the law of nations, the conquering general solemnly promised by the terms of the capitulation begun at Quebec and repeated at Montreal, that he would not do. Now, it has been said in the course of this debate that by the terms of capitulation the Jesuits of the Province of Quebec and all their property were placed at the mercy of the conqueror. I do not so read the terms of capitulation. I do not so read my international law as to that being the right of the conqueror, but, laying aside altogether the question of what international law provided, let me read this article 34 of the terms of capitulation in Montreal: "All the communities"—and at that time the Jesuits were in communities in the Province of Quebec—"and all the priests shall preserve their movables, the property and revenues of the seigneries and other estates which they possessed in the colony of what nature soever they be, and the said estates shall be preserved in their privileges, rights, honors and exemptions." That was the request made, and what was the answer given? The answer unequivocally was, "Granted," and yet we are told "No," that these estates which came within the exact words of that provision as regards the property movable and immovable of the communities, priests, and religious orders of the Province of Quebec, were

(To be Continued.)

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School Notes.

Forest Hill school report for April. Names given in order of merit:—Fourth class—Lena Edwards, Ella Johnson, Lizzie Ford, Alice Ford, Carrie Brown, James Harrison. Third class—Joseph Marshall, Maud Johnson, Howard Stone, Hector McLean, Robert Adam, Fletcher Johnson, Maggie Marshall, Etta Campbell, Minnie McDougall, Alfred Francis, John Johnson, Sr. Second class—Nellie Annis, Maggie Brown, Ella Burgess, Tena Adam, Florence Johnson, James Adam, Belle Feary, Josie Jewell, Charlie Henry. Junior Second class—Cora Stone, Adelia Marshall, Minnie Francis, Annie Jewell, John Hepburn, Archie Brown, Willie McIndoe. First class—part II—Minnie Marshall, Willie Ford, Mary A. Brown, Donald McLean, James Johnson, Nellie Harrison. First class—Part I—George Stone, John Brown, Mabel Johnson, Ray Foster, Edgar Hepburn, Willie Robinson, John Clark, Herbert Harrison. EDITH E. WASHINGTON, teacher.

The following is the standing of pupils in S.S. No. 10, Emily, for April, 1889:—Fourth class—Nettie Jackson, Maurette Mitchell, Madeline Read, Florence Jackson, Nettie Mitchell, Charles Rutherford, Edith Mitchell, George Black, Wesley Mitchell. Third class—Laura McCague, Laura Elliott, Ellie Howden, Birtie Finley, Lizzie Elliott, Annie Doube, Eliza McCall, Evans Storey, Samuel Carew, George Paget. Second class—Ethel Finley, Clara Elliott, Eva Mitchell, Wilford Jackson, Wilford Howden, Evart Finley. Second Part—Eliza Carew, Maggie Paget. First class—Birtie Paget, Marie McCall, Wm. Howden, Maggie McCarl, Marietta McCarl, Melville Elliott. W. S. BLACKWELL, teacher.

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When she had Children, she gave them Castoria.

Register of Societies.

MASONIC. FAITHFUL BRETHREN, No. 77, meetings held on the first Friday of each month, in Keenan's block. Mr. C. S. Perrier, secretary.

"MIZPAH" Chapter of R.A.M. meets in the Masonic Hall, in Keenan's block, the third Thursday of every month. R. G. Cornell, S. E.

T. L. O. F. meets the second Monday of every month over Woods' store.

LINDSAY LOYAL ORANGE BOYS meet the second Monday in every month. G. Elliott, secretary; W. Jones, Master.

TRUE BLUE LODGE, Hackett, No. 25, meets the first and third Mondays of each month over Woods' store. Jas. Shaw, secretary.

ORANGE LODGE, No. 557, meets on the second Tuesday of every month over Dobson's store. Mr. Joseph Ingles, secretary.

ORANGE LODGE, No. 634, meetings held on the first Thursday of each month over Woods' tinshop. Mr. John Reynolds, secretary.

ROYAL BLACK KNIGHTS OF IRELAND meets second Wednesday in each month in Orange Hall, Dobson's block. Joseph Brown, secretary; J. L. Winters, master.

I. O. O. F., No. 166 meets every Monday evening a Britton's block Mr. E. Anderson, secretary.

GODFREDOWN ENCAMPMENT, No. 23, Golding Star, meetings held on the first and third Wednesdays of each month in Britton's block Mr J. Britton, secretary.

ANCIENT ORDER OF FORESTERS, No. 7142, meetings held on the first and third Tuesdays of each month in Baker's block. Mr. J. Mellugh, secretary.

GANANOQUE ORDER OF FORESTERS, No. 138, meets on the first and third Wednesday of each month over Woods' tinshop. Mr. W. Galbraith, secretary.

SONS OF ENGLAND, No. 28, meets first and third Wednesdays of each month in Baker's block. Mr J. L. Dunsford, secretary.

HOME CIRCLE, No. 34, meetings held on the last Monday of each month in Dobson's block. Sheriff McLennan, secretary.

UNITED WORKMEN meets 2nd and 4th Thursdays, in Orange Hall, over Woods' store. W. H. Orom, secretary.

ROYAL ARCANUM, No. 1106, meets on the second and fourth Tuesdays of each month in Woods' block. A. P. D McEachen, secretary.

SONS OF THUNDER, No. 295, meets every Thursday in Baker's block. Mr. J. L. Dunsford, secretary.

F. M. C. A. meets every Tuesday and Sunday in Hamilton's block. Mr. Henry Miller, secretary.

THE BROTHERHOOD of Locomotive Firemen meet in the 3rd flat every alternate Saturday at 7.30 o'clock p.m. R. N. Johnston, Secretary.

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