

Sellar, Robert, 1841-1919
Important letter by a resident of
Quebec as to "The disabilities of
Protestants in that province". Toronto,
1890.

EQUAL RIGHTS ASSOCIATION

—FOR THE—

PROVINCE OF ONTARIO

IMPORTANT LETTER by a resident of Quebec as to “The
Disabilities of Protestants in that Province.”

EQUAL RIGHTS ASSOCIATION OF ONTARIO

9½ ADELAIDE STREET EAST,

TORONTO, 21st December, 1889.

The accompanying letter, written by a well-known English resident of the Province of Quebec to a member of the Committee, is submitted by the Executive Committee of the Association for the earnest consideration of the people of the Dominion.

W. CAVEN,
Chairman.

E. D. ARMOUR,
Hon. Secretary.

PUBLISHED BY

THE EQUAL RIGHTS ASSOCIATION

9½ ADELAIDE STREET EAST

TORONTO

Copies of this letter and other literature of the Association may be obtained on application to W. BANKS, Secretary, at the above address.

TORONTO
MAIL JOB PRINT
1890

THE DISABILITIES OF PROTESTANTS

—IN THE—

PROVINCE OF QUEBEC

THE PARISH SYSTEM

SIR,—I have your letter before me asking for a statement of the disabilities Protestants labor under in the Province of Quebec. I answer gladly, for I wish that every elector in the Dominion should know the state of matters here, being confident that if he did he would use his influence to have it changed.

The subject will be treated from the standpoint of the Protestant farmer, and it is his disabilities I shall describe, the position of the Protestants in the towns and cities being somewhat different. To grasp the grievances of the Protestant farmer you need to understand the character of the Church of Rome as it is developed in the Province of Quebec, and also the parish system.

In the Province of Ontario that Church is almost everywhere in a minority, and its policy is shaped to suit its surroundings, while the views of its members and clergy are insensibly modified by the reflected light of the communities that surround them. Its clergy are far from rich and are dependent upon the voluntary contributions of their people, which, in itself, is a powerful modifying influence upon their character and aspirations. As a rule you know them as you know Protestant ministers, as men who devote themselves to the spiritual affairs of those with whom they are concerned. In Quebec it is entirely different. The Church of Rome is a compact organization, in which each priest and congregation have any distinctive features blotted out, and are simply cogs in a great machine which compels them to move in a fixed way. In one sense it is a Church, in another it is a government, having the province divided into sections and controlled by its deputies, yet a government irresponsible to crown or people, claiming an authority above and beyond that of the state. Her influence is felt in every sphere and walk of daily life, and she shadows every interest. Did you live here, you would see how absolutely she is mistress of the province, how everything is made subservient to her, and with what complacency she assumes that the people exist for her and not she for the people. I doubt if elsewhere you will find the Ultramontane idea as highly developed, the Church regnant, the people and government at her feet. Her wealth is commensurate with her power. She is the largest real estate owner on the continent, and her lands are placed outside the jurisdiction of the laws governing real estate, for they are locked up under mortmain, and on her property she pays no tax. One would need to travel from city to city and town to town for a month, before one would have an adequate conception of the wealth of this Church. Her servants are in proportion. Counting ministers of all denominations, I do not suppose you would find in Ontario many over 3,000. Quebec has a third less population, yet nearly 8,000 men and women have taken the perpetual vow of obedience to the Church of Rome. Add to these the lay servants and dependents,

and there must be twenty thousand whose daily bread comes from this gigantic organization. Now, its wealth and overmastering influence are largely due to

THE PARISH SYSTEM.

When the King of France took possession of Canada, he did not give or sell its lands to those who wished to cultivate them; he would have no dealings with the man who wished to clear the land and plow it. He wanted to give to Canada a nobility, and with that object in view divided up the country that faces the St. Lawrence into large blocks, each one containing several square miles, and presented them to his favorites. These grants of land were called *seigniories*, and the gentlemen to whom they were given *seigniors* or lords, and they encouraged settlers to go upon their estates, not selling them lots, but giving them perpetual possession on paying a small fixed rent and certain other dues. These *seigniories* were divided into parishes, and over each parish a priest was placed. Had the system stopped here all would have been well. Unfortunately the French king, instead of leaving the support of the priests to the voluntary contributions of their flocks, ordained that the twenty-sixth bushel of all grain raised be given to them, and that a tax be levied on all farm lands for the building and upholding of church and parsonage. The seigniorial system was broken up over thirty years ago, and now only a few fragments remain; the parish system is untouched, and in a more highly developed and efficient state than in the days when a Louis was king of Canada. Let me sketch it to you as it exists to-day.

The priest is the convener and chairmen of all parish meetings and without his sanction nothing can be done by the people. Does he consider a new church to be necessary? He obtains the consent of a majority of his people and that of his bishop, and forthwith a tax is imposed upon all the farm lands in proportion to their value, the ordinary municipal assessment roll being generally used, payable in equal instalments spread over not less than three or more than eight years. Of late the priests have vied with one another in zeal for building churches, and numerous substantial and sightly buildings have been abandoned and replaced by splendid structures, often beyond the needs of the parish. There have been hundreds of churches built or re-modelled within the past twenty years that have cost from twenty to thirty thousand dollars; not a few of them from thirty to seventy-five thousand. There are parishes where the church has cost as much money as the dwellings of the farmers who worship within its walls would sell for. This building tax is so heavy, that I do not suppose one is levied that is not the cause of some of the habitants losing their farms. To pay the tax they have to borrow and the mortgage eats up their places and they drift to the cities or the United States. Where very costly churches are raised, such pitiful cases are numerous. Generally the priest's house is in keeping with the church, and is built and maintained by a like tax levied on the lands of the parish. His living is also derived in part directly from the land. Out of every twenty-six bushels of grain (peas are included) the farmer raises, he must give one to the priest, delivering it, clean, merchantable grain, at the parsonage before Easter in each year. It is one of the fictions entertained by many outside Quebec, who form their estimate of the character of the habitant from reading "Evangeline," that this tribute is paid gladly. If there is a man in the Dominion who has an adequate sense of the value of a

dollar, it is the habitant. The tithe is paid with a grudge, and were it not for the information obtained from neighbors and the threshing-mill men, the priest would come short. I know of one parish where such inferior grain was drawn, that the priest referred to it in his sermon, and asked his hearers, as they passed out, to examine at the door a specimen of the oats a certain farmer had delivered. At the rebellion of 1837 the habitants were stimulated to take part in it, because one of the reforms promised was the abolition of tithes. A misconception to be avoided is, that the tithes represent all that the habitant contributes to the support of his clergyman. In truth, the payment of the tithe and building tax entitles him to very little—to standing room in the church he helped to build and to a grave in the cemetery. As one poor man expressed it, he had to stand during grand mass “like a brute beast.” To secure a pew, he has to pay a yearly rental, and for all the rites and services of church and priest he has to pay. The tithe is, in fact, an addition to the ordinary revenue of the clergy, a supplement he now enjoys nowhere else outside of Quebec.

Were the payment of tithes and building tax the result of a mutual agreement among the members of the Church of Rome in Quebec, were they in any sense voluntary contributions, the people of the Dominion would have no right to interfere with them, but when you learn that they are levied and collected by virtue of statutes passed by the Legislature, and voted for by many Upper Canada members, you will perceive that yourself and every other elector are parties to them and accountable for their maintenance. There is not a circuit court in the province whose power has not been called upon by the Church of Rome to compel payment of these assessments. I was once present in a court, of which the judge and all the officials were Protestants, when a number of Irish Catholic farmers were sued by the priest for tithes, and when judgment was rendered in his favor, I thought an outrage had been perpetrated, and that instead of the British coat of arms looking down on those assembled, the insignia of the Vatican would have been more appropriate. Bear this well in mind, that the habitants pay the taxes in question to their church.

BECAUSE THE WHIP OF BRITISH LAW COMPELS THEM.

We have no business to interfere with the Church of Rome in what demands it may make of its followers, or what assessments it may levy upon them, but as British subjects we have a right to say whether or not the courts of the Empire are to assist in maintaining those demands and in becoming collectors of those assessments. It is this backing given by the State to which the peculiar development of that Church in Quebec is due. Having the State as its servant in coercing its people, it assumes the attributes of supremacy, while its sources of income being largely independent of the will of those to whom it ministers, it disregards their wishes and rules autocratically. To sum up in one sentence, it is the union of Church and State in Quebec that menaces the peace of the Dominion.

HOW THE PARISH SYSTEM AFFECTS PROTESTANTS.

No land owned by a Protestant is liable to parish assessments, they are collected solely from Roman Catholics, who may be so only in name

and who may not attend church, all the same they must pay tithes, and any building tax that may be levied. Their sole way of escape is to notify the priest that they have left the Church of Rome, and no habitant need do that unless prepared to leave the province. I have seen this provision of the law, that Protestants are exempt, quoted by Ontario newspapers as conclusive proof that they have no cause to complain of the parish system. Were those who express such an opinion to come to Quebec and make personal investigation, they would perceive their error. Let me give you an illustration from actual life.

Fifty years ago a number of emigrants from the British Isles formed a settlement in the wild lands of this province. They prospered and increased for twenty years, when the Roman Catholic bishop issued his decree including their settlement in a canonical parish he had erected. The Roman Catholics were mainly laborers employed by the Protestants, several of whom contributed towards erecting a temporary church, which was followed by a convent-school, established by one of the great Montreal nunneries, partly to attract a Catholic population, and partly to catch a few Protestant girls as pupils. When from death or other vicissitude a farm owned by Protestants was offered for sale, the priest had a purchaser, who, if he had not sufficient money, got a loan from the city ecclesiastical corporations at a low rate of interest. A French store-keeper was brought in, a French doctor and finally a notary. Then the colonization societies lent their aid, and the funds of these societies are supplemented by government. The work went on slowly, but it went on steadily. If I were asked to name the most remarkable feature in the Church of Rome, I would answer, its deliberate movements, its unalterable purpose combined with patience. Nothing is done openly, nothing rashly, nothing violently. The tide is creeping upward and remorselessly swallowing everything in its way, but on the placid face of the waters there is not an eddy nor a ripple to indicate the resistless power that is impelling them. Farm by farm dropped into Catholic hands, and the area of land liable to tax and tithe went on extending. In course of time the Protestants became so few that they found it difficult to maintain schools, and were it not for aid from outside, they could not have retained a minister. Their farms were fertile, and, materially, they were doing better than they could elsewhere, so that so far as dollars and cents are concerned they had no cause to move, yet when they considered that their children were growing up imperfectly educated, and that their neighbors were of different speech and creed, they were impelled to make a sacrifice and leave. Their farms were bought, and what was twenty-five years before an English-speaking settlement has become a French one, and from land that did not yield a dollar to the Church of Rome, she now levies contributions that yield thousands.

This is the history of scores of outlying settlements of Protestants in this province, and that they were extinguished by set purpose is not concealed. Says a Quebec paper the other day: "We have not in vain absorbed many of the English and Scotch settlements planted among us to break up our homogeneity." So long as it is law that the land of the Province of Quebec shall yield tribute to the Church of Rome when owned by its adherents, that Church will work unceasingly to dispossess Protestants, for every acre it wins enhances alike its income and its prestige.

You may here ask, whether Protestants who took up land in Quebec

did not do so with their eyes open, and knowing that it was subject to the parish system, have they a right to now complain? No such plea can be urged. When the townships were settled they were not only free from the parish system, but there was an Imperial guarantee that they should never be subject to it.

THE EXTENSION OF THE PARISH SYSTEM TO THE TOWNSHIPS IS A VIOLATION
OF A PLEDGE AND A USURPATION.

I will set the facts before you and you will judge for yourself. When Canada passed into the hands of the British, Quebec bore no resemblance to the Quebec of to-day. It consisted of thinly-peopled settlements, which occupied narrow strips bordering the St. Lawrence. A few miles back of the great river rose the bush, and the primeval wilderness extended on the north shore to the Arctic Circle and on the south to the United States. Bear this in mind, that when General Murray set about constituting Quebec a British colony, it had only seventy thousand inhabitants, who lived in the narrow ribbon of clearances that edged the St. Lawrence; that was all they occupied and that was all they claimed. The British commander was asked to leave the parish system to this handful of people: he refused, English law was established among them, and for thirteen years no habitant was compelled to pay either tithe or tax. That state of affairs would have continued until our own day had it not been for the breaking out of the American Revolution. The Imperial authorities were afraid the French people might join in it, and to avert that danger they bribed their priests by giving them back the power to levy their dues. This was done in 1774 by the Quebec Act, which, however, confined the privilege strictly to the *seigniories*, or, more correctly speaking, to the eighty-two parishes then in existence, coupling, however, the gift with the proviso that the priests were to become subject to the conditions of the sovereign's supremacy as laid down in the Act of 1 Elizabeth. As if foreseeing what has actually happened, that the priests would apply the privilege so granted to the entire province, this clause was added:

“Provided always that nothing in this Act contained shall extend, or be construed to extend, to any lands that have been granted by His Majesty, or shall hereafter be granted by His Majesty, his heirs and successors, to be holden in free and common socage.”

Surely this is plain enough. The parish system was restored to the *seignior* or fief land: all land granted by the crown in free and common socage was to be clear of it. The Imperial Parliament and George III. restored French law and usages to the thin chain of French settlements, and to them only: all the rest of the province was to continue as before, under English law. Every French Catholic writer and every French Catholic speaker on this subject invariably ignores the clause I have quoted, and speak of the Quebec Act as restoring French law and custom to the entire province and dare anybody to interfere with the Imperial concession. Nothing could be more dishonest. The Quebec Act merely restored French law and usage to the *seigniories*, not a twentieth part of the province as now constituted, and to them only does it apply. All outside of that restricted strip of land was to be settled and governed like Ontario, Nova Scotia, or New Brunswick, namely, under English law. This was perfectly understood and acted upon by successive Governors. The

crown lands of Quebec were surveyed and divided, not into *seigniories* and parishes, but into counties and townships. In these townships English law prevailed, French law had no standing, and the priests had no more authority to tithe and tax in them than they have in Ontario. The result was that these townships became settled by English-speaking people, who would not have felled a tree in them had they known they would ever have been brought under the parish system. The pledge that English law would always rule where the land was granted in free and common socage was renewed in 1826, when the Imperial Parliament, in the Canada Tenure Act, declared that the law of England was the rule by which real property in the townships was to be regulated and administered. The two settlements thus grew side by side: one English-speaking, with English law and usages, prosperous and expansive; the other French, with French law and customs, poor and stagnant. The rapid growth of what may be termed English Quebec excited the fears and jealousy of the Anglophobes preceding the rebellion and they endeavored to check it by adverse legislation. But despite all obstacles, English Quebec grew in wealth and population, progressing at such a rate that, at the date of the union with Upper Canada, it threatened in time to outstrip French Quebec. In those days the *seigniories* were overpopulated: if the season was unfavorable there was distress, and applications to the Legislature for public aid were frequent. Papineau urged his countrymen to go into the townships and take up land; few did so, and the reason given to the repeated parliamentary committees on the subject was, that the priests were adverse to their leaving the *seigniories*, because the parish system was not in force in the townships. The rebellion was designed to destroy the townships: they survived it to fall before an instrument that was being silently forged by the hierarchy. The union of Upper and Lower Canada took place, and among the first acts of the new Legislature was one providing for the erection of canonical parishes. As it stood alone it was of slight consequence, but, at long intervals, its provisions were amended and extended by subsequent Acts, all of which disregarded the restriction of the Quebec Act and applied their provisions to the entire province. This was done so gradually and unobtrusively that these little bills were introduced and passed without attracting notice. Not one of them said, "the parish system is hereby extended to the townships." That would have excited alarm and ensured their doom. They simply professed to be amendments of previous Acts, their sting lying in the unthought of preambles, which made the provisions of these previous Acts applicable to the entire province of Lower Canada. When the last and worst of these little bills was before the Legislature, Cartier explained that it only affected Catholics and was designed to legalize certain arrangements between the bishops and their people. The power thus obtained to extend the parish system into the townships was cautiously used and the approaches were exceedingly slow. Here and there a parish was formed where the Catholics were most numerous, and the objection of the priesthood being removed to their people taking up land in the townships, they were now as eager in urging them to go as they were before in restraining them, and, when Confederation came, the Legislature seconded their efforts by grants to colonization societies and departmental favors. At the present hour the townships are overspread by a network of parishes, and in each of them the priests collect tithes and church taxes are levied off land which the

Imperial Government guaranteed should be forever free from such imposts. Indeed, it is not necessary to quote statutes in support of the claim of the townships to freedom from the parish system, for the deed granted by the sovereign to each settler bears proof of the fact. Up to Confederation the patents issued by the Crown Lands Department for lands granted under them contained these words:

“To have and hold in like manner as lands are holden in free and ‘common socage in that part of Great Britain called England.’”

Queen Victoria thus issued her letters patent for a lot of land, declaring that the yeomen to whom she granted it shall hold it free from all lien, and the same as if it were situated in England. And in full faith of that assurance, the settler went on and spent the vigor of his manhood in clearing that lot. In his old age a priest comes and says, “Your land was ‘granted to you by the Queen, subject to a servitude held by my Church, ‘a perpetual claim, a mortgage that cannot be wiped out, as its payment ‘is conditional upon the creed of the occupant. You being a Protestant ‘I will do what I can to get you off it and a Catholic put in your place, ‘so that Holy Church may enter into the full enjoyment of her patri-
“mony.”

Such, sir, is the manner in which the parish system has been extended to the townships, and, need I add, that its introduction has caused their decadence. Numerous settlements have been wiped out and everywhere the French increase, so that the English who could control ten constituencies twenty-five years ago are outnumbered in all but four. It is for the electors of the Dominion to answer the question,

SHALL THE REMNANT BE WIPED OUT?

If the existing law is continued, a law offering a substantial inducement to each priest to drive the Protestant farmers out, it is as certain as that the St. Lawrence rolls to the sea, that before the coming century is far advanced few will be left. Is the union of Church and State to be continued in the Province of Quebec? Is the priesthood to continue to have behind it British courts to enforce the collection of tithe and tax? Is the Church of Rome to sit in this province enthroned as a queen, panoplied with exclusive privileges, and with her foot on the neck of its Legislature? If so, then over one hundred thousand loyal British subjects will leave the lands they and their fathers redeemed from the bush and follow their brethren who have gone before them. As it is in *your* power, and in the power of every elector of the Dominion to continue or abolish this system, so upon *you* and them, jointly with the priests, will rest the accountability for one of the greatest outrages ever wrought on English-speaking people, for outrage and crime it surely is, to maintain a law that offers a bonus to the clergy of the Church of Rome to dispossess men and women of their homes on account of their creed and nationality.

There are other disabilities under which the non-Catholic people of Quebec labor, and these I may give in another letter. The parish system is so pre-eminent among the grievances of which we complain, that I think it better not to place it on the same parallel with the others.

