

they exercised under the French dominion. They shall enjoy the same rights in case of death of the future Bishop of which mention will be made in the following article.

Granted—except what regards the following article.

XXX. If by the treaty of peace Canada should remain in the power of his Britannic Majesty his most Christian Majesty shall continue to name the Bishop of the Colony who shall always be of the Roman communion and under whose authority the people shall exercise the Roman religion.

Refused.

XXXI. The bishop shall in case of need establish new parishes and provide for the rebuilding of his Cathedral and his Episcopal Palace, and in the mean time he shall have liberty to dwell in the town or parishes as he shall judge proper. He shall have liberty to visit his diocese with ordinary ceremonies and exercise all the jurisdiction which his predecessor exercised under the French dominion save that an oath of fidelity or a promise to do nothing contrary to his Britannic Majesty's service may be required of him.

Answer.—This article is confirmed under the foregoing.

XXXII. The Communities of Nuns shall be preserved in their constitutions and privileges; they shall continue to observe their rules; they shall be exempted from lodging any military, and it shall be forbid to trouble them in their religious exercises or to enter their monasteries. Safe guards shall even be given them if they desire them.

Granted.

XXXIII. The preceding article shall likewise be executed with regard to the Communities of Jesuits and Recolets and of the Priests of St. Sulpice at Montreal. These last and the Jesuits shall preserve the right to nominate to certain curacies and missions as heretofore.

Refused till the King's pleasure is known.

XXXIV.—All the Communities and all Priests shall preserve their moveables, the property and revenues of the Seignories and other Estates which they possess in the colony of what nature soever they may be, and the same estates shall be preserved in their privileges, rights, honors and exemptions.

Granted.

XXXV. If the Canons, Priests, Missionaries, the Priests of the Seminary of the Foreign Missions and of St. Sulpice as well as the Jesuits and the Recolets choose to go to France passage shall be granted them in his Britannic Majesty's ships, and they shall have leave to sell in whole or in part the estates and moveables which they possess in the colonies, either to the French or to the English without the least hindrance or obstacle from the British Government.

They may take with them or send to France the produce of what nature soever it be of the said goods sold paying the freight, as mentioned in the twenty sixth article, and such of the said priests who choose to go this year shall be virtualled during the passage at the expense of his Britannic Majesty, and shall take their baggage.

Answer.—They shall be masters to dispose of their estates and to send the produce thereof as well as their persons and all that belongs to them to France.

XXXVI. If by the treaty of peace Canada remains to his Britannic Majesty, all the French Canadians, Acadians, merchants and other persons who choose to return to France shall have leave to do so from the English General, who shall procure them a passage, and nevertheless if from this time to that decision and French or Canadian merchants, or other persons shall desire to go to France they shall likewise have leave from the

English General. Both the one and the other shall take with them their families, servants and baggage.

Granted.

XXXVII. The Lords of manors, the military and civil officers, the Canadians, as well in the towns as in the country, the French settled or trading in the whole extent of the colony of Canada, and all other persons whatsoever, shall preserve the entire peaceable property and possession of their goods, noble and ignoble, moveable and immovable merchandise, furs and other effects, even their ships, they shall not be touched nor the least damage done to them on any pretence whatsoever. They shall have liberty to keep, let or sell them as well to the French as to the English, to take away the produce of them in bills of exchange, furs, specie or other returns whenever they shall judge proper to go to France, paying their freight as in the 26th article. They shall also have the furs which are in the ports above and which belong to them and may be on the way to Montreal, and for this purpose they shall have leave to send this year or the next canoes fitted out to fetch such of the said furs as shall have remained in those posts.

Granted—as in the twenty sixth article.

XXXVIII. All the people who have left Acadia and who shall be found in Canada, including the frontiers of Canada on the side of Acadia, shall have the same treatment as the Canadians and shall enjoy the same privileges.

Answer.—The King is to dispose of his ancient subjects. in the meantime they shall enjoy the same privilege as Canadians.

XXXIX. None of the Canadians, Acadians or French who are now in Canada, and on the frontiers of the Colony, on the side of Acadia, Detroit, Michilimackinac and other places and posts of the countries above, the married and unmarried soldiers remaining in Canada shall be carried or transported into the English Colonies or to Old England, and they shall not be troubled for having carried arms.

Granted—except with regard to the Acadians.

XL. The savages or Indian allies of his most Christian Majesty shall be maintained in the lands they inhabit if they choose to remain there, they shall not be molested on any pretence whatsoever for having carried arms and served his most Christian Majesty. They shall have as well as the French liberty of religion and shall keep their missionaries, the actual Vicars General and the Bishop, when the Episcopal See shall be filled, shall have leave to send to them new missionaries when they shall judge it necessary.

Granted—except the last article which has been already refused

XLI. The French, Canadians, Acadians, of what state and condition soever, who shall remain in the Colony shall not be forced to take arms against his most Christian Majesty or his allies directly or indirectly on any occasion whatever. The British Government shall only require of them an exact neutrality.

Answer.—They become subjects of the King.

XLII. The French and Canadians shall continue to be governed according to the custom of Paris and the laws and usages established for this country, and they shall not be subject to any other imposts than those that were established under the French dominion.

Answered by the preceding articles and particularly by the last.

XLIII. The papers of the Government shall remain with the Marquis de Vaudreuil and

shall go to France with him. These papers shall not be examined on any pretence whatever.

Granted—with the reserve already made. XLIV. The papers of the Intendency, of the officers of Comptroller of the Marine, of the ancient and new treasures of the King's magazines, of the office of the Revenues and Forges of St. Maurice, shall remain in the power of M. Bigott, the Intendant, and they shall be embarked for France in the same vessel with him. These papers shall not be examined.

Answer.—The same as to this article.

XLV. The Registers and other papers of the Supremo Council of Quebec of the Provost and Admiralty of the said city, those of the Royal jurisdiction of Trois Rivières and of Montreal, those of the Seigneurial jurisdictions of the Colony, the minutes of the acts of the notaries of the town and of the counties, and in general the acts and other papers that may serve to prove the estates and fortunes of the citizens shall remain in the rolls of the jurisdictions on which those papers depend.

Granted.

XLVI. The inhabitants and merchants shall enjoy all the privileges of trade under the same favors and conditions granted to the subjects of His Britannic Majesty as well in the countries as in the interior of the colony.

Granted.

XLVII. The negroes and Panis\* of both sexes shall remain in their quality of slaves in the possession of the French and Canadians to whom they belong. they shall be at liberty to keep them in their service in the colony, and they may also continue to bring them up in the Roman religion.

Granted—except those who shall have been made prisoners.

XLVIII. The Marquis du Vaudreuil, the General and Staff Officers of the different places of the colony, the military and civil officers, and all other persons who shall leave the colony, or who already are absent shall have leave to name and appoint attorneys to act for them, and in their name in the administration of their effects, moveable and immovable until the peace, and if by the treaty between the two Crowns, Canada does not return under French dominion, these officers or other persons, or attorneys for them, shall have leave to sell their manors, houses, and other estates, their movables, and effects, &c, and to carry away or send to France the produce, either in bills of exchange, specie, furs or other returns as is mentioned in the thirty seventh article.

Granted.

XLIX. The inhabitants and other persons who shall have suffered any damage in their goods, moveable and immovable, which remained at Quebec under the faith of the capitulation of that city may make their representations to the British Government, who shall render them due justice against the person to whom it shall belong.

Granted.

L. And last. The present capitulation shall be inevitably executed in all its articles, and *bona fide* on both sides, not withstanding any infraction and any other pretence with regard to preceding capitulations, and without making use of reprisals.

Granted.

NOTE.—The Panis or properly Paunce, mentioned in the text of the capitulation, belonged to that tribe of Indians who were taken prisoners by the Sacs (Soux) and Foxes, with whom they were at war, and sold to the Canadians as domestic slaves.