

is surrendered or ceded ; but such articles are sacred and inviolable according to their true intent and meaning."

Article 6 of the capitulation of Quebec is as follows :

" That the exercise of the Catholic, Apostolic and Roman religion shall be maintained ; and that safe guards shall be granted to the houses of the clergy, and to the 'monasteries, particularly to his Lordship the Bishop of Quebec, who, animated with great zeal for religion and charity for the people of his diocese, desires to reside in it constantly, to exercise freely and with that decency which his character and the sacred offices of the Roman religion require, his episcopal authority in the town of Quebec, *whenever he shall think proper*, until the possession of Canada shall be decided by a treaty between their Most Christian and Britannic Majesties."

" The free exercise of the Roman religion is granted, likewise safe guards to all religious persons, as well as to the Bishop, who shall be at liberty to come and exercise, freely and with decency, the functions of his office, whenever he shall think proper, until the possession of Canada shall have been decided between their Britannic and most Christian Majesties."

Article 27 of the capitulation of Montreal (8th September 1760) is to the following effect : " The free exercise of the Catholic, Apostolic and Roman religion shall subsist *entire in* such manner that all the states and the people of the towns and countries, places and distant posts, shall continue to assemble in the churches, and to frequent the sacraments as heretofore, without being molested in any manner, *directly or indirectly*. These people shall be obliged by the English Government to pay their Priests the tithes, and all the taxes they were used to pay under the Government of His Most Christian Majesty." " Granted as to the free exercise of their religion ; the obligation of paying the tithes to the Priests will depend on the King's pleasure."

The definitive Treaty of Peace (10th February, 1763,) between Kings of France and Great Britain, art. 4, says :—

" His Britannic Majesty, on his side, agrees to grant the liberty of the Catholic religion to the inhabitants of Canada ; he will consequently give the most effectual orders, that his new Roman Catholic subjects may profess the worship of their religion, according to the rites of the Romish Church, as far as the laws of Great Britain permit."

" Voilà," said Mr. Jetté, of counsel for the defence in the