

“ sent to any such act or acts in case either House of Parlia-  
 “ ment shall within the said thirty days address his Majesty,  
 “ his heirs, or successors, to withhold his or their assent  
 “ from such act or acts ; and that no such act or acts shall be  
 “ valid or effectual to any of the said purposes within either  
 “ of the said Provinces, unless the Legislative Council and  
 “ Assembly of such Province shall in the session in which the  
 “ same shall have been passed by them, have presented to the  
 “ Governor, Lieutenant Governor, or person administering  
 “ the government of such Province, an address or addresses,  
 “ specifying that such act contains provisions for some of the  
 “ said purposes herein before specially described, and desiring  
 “ that in order to give effect to the same, such act should be  
 “ transmitted to England without delay, for the purpose of  
 “ being laid before Parliament, previous to the signification  
 “ of his Majesty’s assent thereto.”

On this part of the constitution no doubt can subsist ; it undeniably tolerates all persuasions of religion, old or new, in every particular of their worship, whether in respect of their minister, or in the administration of the ordinances, or any ceremony of religion. The only question that can arise on the subject is, has any act relating to forms of religious worship been passed in the manner here prescribed ? I reply none, nor is it pretended that any such act existeth. On what then is the information *quo warranto* against Clark Bentom founded ? Why on the provincial register act, passed by the House of Assembly, 1795, &c says the Attorney General ; and his information tells us the office of a minister of the gospel, since the passing of the said act, has been and still is an office of high trust and pre-eminence touching the rule and government of the Province of Lower Canada. We are then, according to this declaration, to conceive of this act as of a bill of rights and privileges, conferred on the clergy of the Province by the Legislature, which rights and privileges can be alone enjoyed by charter or commission from the Crown. But before we form our opinion, let us examine the law itself, for I have no great confidence in Mr. Sewell’s construction of its intentions, notwithstanding his being the King’s Attorney General, sworn to prosecute justly and lawfully. The statute enacts as follows :

“ That in each parish church of the Roman Catholic  
 “ communion, and also in each of the protestant churches,  
 “ or congregations, within this Province, there shall be kept  
 “ by the rector, vicar, curate, or other priest or minister do-