

the Episcopal dignity among the Roman Catholics."

The British government, be it remarked, from the first refused to recognize a bishop, but cared not to put any obstruction in the way of one. It had been felt that a bishop was required to ordain the priests required for the various parishes of the Province, and that solely was the object for which M. Briand was allowed to proceed as bishop to Quebec; he was as he himself said to be "*un simple faiseur de Prêtres*," and nothing more. In the celebrated report of Solicitor General Wedderburne in 1772, on which together with that of Attorney General Thurlow, bearing date the following year, was drafted the Quebec Act, the powers to be granted the bishop are referred to in the following words:

"It is necessary in order to keep up a succession of priests, that there should be some person appointed whose religious character enables him to confer grades, and also to give dispensations for marriages; but this function should not extend to the exercise of a jurisdiction over the people or the clergy." Speaking of the parish priesthood, the same report declares:—"It is stated in the reports from your Majesty's officers in Canada, that very few," (of the clergy in Canada) "have a fixed right to their benefices, but that they are generally kept in a state of dependence which they dislike, upon the person who takes upon him to act as bishop; who, to preserve his own authority, only appoints temporary Vicars to officiate in the several benefices.

"It would be proper, therefore, to give the parochial clergy a legal right to their benefices. All presentations either belong to lay pastors or to the Crown, and the right in both ought to be immediately exercised with due regard to the inclinations of the parishioners in the appointment of the priest. The governor's license should

in every case be the title to the benefice, and the judgment of the temporal courts the only mode of taking it away." The Solicitor-General would seem either not to have been aware of, or to have overlooked the fact, that no new legislation was required on that point, as the law under the French rule, which has since continued in full force, makes the tithe payable only to the *curé inamovible*, and he can be removed only for cause duly established before a competent tribunal. The views taken by those who introduced the Quebec Act, in reference to the powers conferred upon the Roman Catholic bishop in Canada by that law, will be still more clearly ascertained by reference to the debates in the House of Commons on the bill. In answer to the following enquiry made by Mr. Thomas Townsend, jr.:—"Is the Roman Catholic religion—is the discipline of that church, to be established throughout that country? If it is, I should be glad likewise to know in what situation the bishop will be placed, with the exception of being subject to the King's supremacy, established by the Act of the first of Queen Elizabeth," Lord North made reply: "I am sure no bishop will be there under papal authority, because he will see that Great Britain will not permit any papal authority whatever in the country. It is especially forbidden by the Act of Supremacy." The Premier was followed by the Solicitor-General Wedderburne, who also declared:—"Whatever necessity there may be for the establishment of ecclesiastical persons, it is certain they can derive no authority from the See of Rome, without directly offending against this Act." The same subject was reverted to by Mr. Dunning, who was subsequently raised to the peerage as Lord Ashburton; he was a lawyer of great eminence, and a few years before had held the office of Solicitor-General. In speaking of the extent of the laws to be given to the