

be any particular instruction of His Majesty to the contrary." (Ibid., p. 312.)

Mr. Ryland could only suggest the Royal Instructions of 1791; but no heed was paid to his remonstrance. (Ibid., p. 313).

On the 30th April, 1817, was issued the mandamus which gave Mgr. Plessis a seat in the Legislative Council in his capacity of Catholic Bishop of Quebec. Mr. Sewell protested against this measure as tending to establish Papal supremacy; he even endeavored to persuade the Ministers to reconsider their decision, insisting that they should at least 'save appearances, but he could obtain nothing, while Lord Bathurst went still further and consented to recognize a coadjutor Bishop *cum futura successione* whenever he would be presented to the Governor. (Etudes Historiques et Légales sur la Liberté Religieuse en Canada, par S. Pagnuelo, Q. C., Montréal, 1872).

It is by far too late in the day to question the constitutionality of the incorporation of religious orders. At least fifty years ago the Corporation of St Sulpice was recognised, since which time the Oblates, the Redemptorists, the Dominicans and others have been in their turn incorporated without a word of remonstrance.

If The Law Journal is really anxious to test the constitutionality of the Act of a Provincial Government based on the validity of Papal bulls, we recommend to its consideration as a test case the Episcopal Corporation of "The Roman Catholic Bishop of Montreal in the Province of Lower Canada."

Just fifty years ago on the 15th of next August, Governor Colborne issued under the seal of the Province letters patent of incorporation and "amortissement," constituting Mgr. Jean Jacques Lartigue, Bishop of the Roman Catholic Diocese of Montreal, and his successors, a sole ecclesiastical corporation, with the above-mentioned appellation, with perpetual succession for him and his successors (Pagnuelo, Ibid., p. 160.)

We have here a Provincial Act depending entirely on Papal bulls and Papal approbation; for no other than the one chosen by the Holy See can be recognized as forming that sole corporation, and had Mgr. Lartigue been removed or transferred to another see, he would have ceased forthwith to be sole corporator. Two bishops have since succeeded him without remonstrance or protestation.

If, then, the Jesuit incorporation be unconstitutional, the Episcopal Corporation of Montreal is unconstitutional for a like reason. If the Jesuit bill of compensation be unconstitutional for the reason that the Provincial Act is made dependent on the will of the Pope, a similar state of things would necessarily invalidate the incorporation of the Roman Catholic Bishop of Montreal.

This corporation has received the sanction of time and of more than one subsequent legislative Act. It will consequently be apparent to all that if the issue raised by The Law Journal were ever brought before the Privy Council it could not for one moment be seriously maintained.

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