

The learned advocate did not think proper to include in his list of authorities the opinion of the Solicitor General Wedderburn given to the Imperial Government in 1772; perhaps he found it too liberal; at all events, his learned friend, Mr. Cassidy, Q.C., also counsel for the defense in the Guibord case, has cited it: "The religion of Canada is a very important part of its political constitution. The 4th article of the Treaty of Paris, grants the liberty of the Catholic religion to the inhabitants of Canada, and provides that His Britannic Majesty should give orders that the Catholic subjects may profess the worship of their religion according to the rites of the Romish Church, as far as the laws of England will permit. This qualification renders the article of so little effect, from the severity with which (though seldom exerted) the laws of England are armed against the exercise of the Romish religion that the Canadian must depend more upon the benignity and wisdom of Your Majesty's Government for the protection of his religious rights than upon the provisions of the treaty, and it may be considered as an open question, what degree of indulgence true policy will permit to the Catholic subject.".....

"True policy dictates then that the inhabitants of Canada should be permitted freely to profess the worship of their religion; and it follows of course, that the ministers of that worship should be protected and a maintenance secured for them."

It is plain that the language held by the Canadian Attorney-General to Bishop Plessis is far from being entirely favorable to the argument of the learned advocate, for that functionary says; "my principle is this; I would not interfere with you in concerns purely spiritual and in all that is *temporal or mixed*, I would subject you to the King's authority," without defining what that authority was in the colony.

As regards the opinions of the English Crown lawyers, not only have they been over-ruled by many subsequent decisions of the Privy Council, but they are contradicted in the most formal manner by the highest Government functionaries of that fanatical age.

No one could be in a better position to explain the meaning and effect of the Treaty of Paris than the eminent lawyers who filled the offices of Attorney and Solicitor-General at the time it was ratified,—Sir Fletcher Norton and Sir William de Grey. Their opinion, as transmitted us by the author of an anonymous work in defense of the Quebec Act, published at London in 1774, was