

"6th. That the citizens and inhabitants of the town and suburbs, or any other part of the country, who have taken up arms for the defence of this Province, and are taken prisoners, shall be set at liberty.

"7th. That Courts of Justice shall be established for the determination of property ; and that the judge of the said Courts shall be elected by the people.

"8th. That the inhabitants of the town shall not be subjected to lodge troops.

"9th. That no inhabitant of the country, or savages, shall be permitted to enter the town until the Commandant shall have taken possession and provided for the security thereof.

(Signed,)

JOHN PORTEOUS.

RICHARD HUNTLEY.

JOHN BLAKE.

EDW. WM. GRAY.

JAMES FINLAY.

JAMES MCGILL.

PIERRE PANET.

PIERRE MEZIERE.

ST. GEORGE DUPRE.

LOUIS CARIGNANT.

FRANCOIS MALHOIT.

PIERRE GUY."

To this Montgomery returned the following written answer :

"I do hereby certify that the above articles were presented to me, to which I have given the following answers :

"The City of Montreal having neither ammunition, artillery, troops nor provisions ; and having it not in their power to fulfil one article of the treaty, can claim no title to a capitulation.

"The continental arms have a generous disdain of every act of oppression and violence ; they are come for the express purpose of giving liberty and security. The General therefore, engages his honor to maintain in the peaceable enjoyment of their property of every kind, the individual and religious communities of the city of Montreal.