

C'est un grand avantage pour les joyeux lurons qui aiment la rigolade, car rien n'est récréatif comme ces pages d'absurdités, tellement absurdes qu'elles atteignent au génie du genre.

Pas un romancier, quelle que soit son imagination ou sa démente, ne parviendrait à pondre quelque chose de plus échevelé, de plus bouffon, de plus risible.

Je conseille la lecture de cet ouvrage aux hypocondriaques et je leur assure une guérison prompte et radicale. Le souvenir de l'abbé Combe et de son "Grand Coup" les préservera sûrement d'une rechute.

Pour l'esbaudissement des bons esprits, Rabelais n'était qu'un enfant de chœur auprès du curé de Dion. Seulement, l'abbé Combe a la joie lugubre et bête, ou bête et lugubre, comme vous voudrez.

Toutes les pieuses librairies de la ville et de la campagne doivent être fournies de ce délicieux ouvrage. Adressez-vous donc à ces bonnes maisons. Dans tous les cas, je n'ai aucune raison de vous cacher que l'estampille portée sur l'exemplaire du "Grand coup" que j'ai l'incalculable bonheur de posséder, indique la librairie Ste-Henriette, 1826 rue Ste-Catherine.

Hâtez-vous de faire votre commande, il n'y en aura pas pour tout le monde.

J'accomplis un devoir, car on ne saurait trop recommander et trop propager la saine, la bonne littérature.

Seulement, c'est Tardivel qui va faire un nez avec son livre idiot : *Pour la Patrie* !

Tant pis pour lui.

LYNX

## LA CAUSE DU "CANADA-REVUE"

JUGEMENT DE L'HON J. ARCHIBALD

(Suite)

Upon page 218 of the Law Reports, vol. VI, Privy Council, their Lordship remark, as follows :

"It is, however, suggested that the denial took place, in fact, by the order of the Bishop or the Vicar-General; that the respondents are bound to obey the orders of their ecclesiastical superior, and, therefore, that no

mandamus ought to issue against them. Their Lordships cannot accede to this argument. They apprehend that it is a general rule of law in almost every system to justify his act or omission by the order of his superior, only when that order has been regularly issued by competent authority.

"The argument would, in fact, amount to this : that, even if it were clearly established that Guibord was not disentitled by the laws of the Roman Catholics, Church to ecclesiastical burial, nevertheless, the mere order of the Bishop would be sufficient to justify the Curé in refusing to bury him in that part of the parochial cemetery in which he ought, on this hypothesis, to be interred ; or, in other words, the Bishop, by his own absolute power, in any individual case, might dispense with the application of the general ecclesiastical law, and prohibit, upon any grounds, revealed or not revealed, satisfactory to himself, the ecclesiastical burial of any parishioner. There is no evidence before Their Lordships that the Roman Catholics of Lower Canada have consented to be placed in such a condition."

It might be, therefore, assumed that merely disobedience to the order of the Bishop does not constitute a sin, unless the order is justified by the law of the Church ; but the case just cited proves, also, that, with respect to canons or laws which may have come into force in Canada since the cession, it is for the ecclesiastical authority to make proof. The mere action of the Bishop, in any given direction, does not prove, even prima facie, that he was justified by the canon law so to act, but it is for him to prove his authority.

In the case of Guibord, the respondent attempted to base his authority to refuse ecclesiastical burial upon the tenth rule of the Council of Trent, as follows : "Omnibus fidelibus præcipitur ne quis audeat contra harum regularum præscriptum, aut hujus Indicis prohibitionem libros aliquos legere aut habere.

"Quod is quis libros hæreticorum vel cujusvis auctoris scripta, ob heresim vel ob falsi dogmatis suspicionem damnata, atque prohibita legevit vel habuerit, statim in excommunicationis sententiam incurrat." But their Lordships remarked as follows upon that authority :—"In the first place, it is a matter of almost common knowledge, certainly of historical and legal fact, that the decrees of this Council, both those that relate to discipline and to faith, were never admitted in France to have effect proprio vigore, though a great portion of them has been incorporated into French ordonnances. In the second place, France has never acknowledged nor received, but has expressly repudiated the decrees of the Congregation of the Index.

Gibert, in his institutes, says that the ipso facto excommunication inflicted by the Council of Trent as the punishment of reading or possessing prohibited books, would have no effect in France, *dans le for extérieur*. Dupin, a jurist, already mentioned, denies the authority, in France, of the decrees of the Congregation. He says :—"En effet, en consultant les précédents, on trouve un célèbre arrêt du Parlement de Paris qui l'a jugé ainsi en 1647, après un éloquent plaidoyer de l'Avocat-Général Omer Talon.