

the Bishop; secondly, in declaring that the library contained only moral books, whereas it contained books which were in the Index at Rome. The Bishop further cited a decision of the Council of Trent, that any one who read or kept heretical books would incur sentence of excommunication and that any one who read or kept books forbidden on other grounds would be subject to severe punishment; and he concluded by making an appeal to the Institute to alter their resolution, alleging that otherwise no Catholic would continue to belong to it. He says:—

“ Car il est bien à remarquer ici que ce n'est pas nous qui prononçons cette terrible excommunication dont il est question, mais l'Église dont nous ne faisons que publier les salutaires décrets. ”

The resolution of the Institute was not rescinded.

In 1865 several of the Roman Catholic members of the Institute, including Guibord, appealed to Rome against this Pastoral.

They received no answer to their application. But in the year 1869, the Bishop of Montreal issued a circular—

“ Publiant la réponse du Saint Office concernant l'Institut Canadien et le Décret de la Sainte Congrégation de l'Index condamnant l'Annuaire du dit Institut pour 1868.”

This Circular was dated from Rome, 16th. July, 1869. He also sent a Pastoral letter from Rome dated in August of that year, which contained two inclosures; one the sentence or answer of the Holy Office, as printed in the case before us:—

“ Illme. ac Rme. Dne.

“ Cum in Generali Congregatione S. R. et U. I. habita feri 4 IV. die 7 curr. Emi. ac Rmi. Generales Inquisitores jamdiu motam de Instituto Canadensi controversiam ad examen revocassent, singulic mature ac diligentur expensis, A: tuae significandum voluerunt, rejiciendas omnino esse doctrinas in quodam annuario quo dicti Instituti acta recensentur, contentas, ipsasque doctrinas ad eodem Instituto traditas prorsus reprobandas. Animadvertentes insuper iudati Emi. ac Rmi. Patres valde timendum esse ne per hujusmodi pravas doctrinas Christianae juventutis institutio et educatio in discrimen adducatur, dum commendandum expresserunt zelum