just act of State placing those who received the benefit on the same footing with respect to their religion as the other inhabitants of the country might occupy with respect to their's. But religious freedom and equality are one thing; to establish the superiority of one order over another—an *imperium in imperio*—would have been quite another. And after the series of cases on this subject, which it would now be mere pedantry to parade, with every desire and readiness to hear whatever could be said on either side, we might well have declined to reconsider the question whether the authority of the Sovereign of England can be exerted in her Courts over all her subjects in this country, without distinction, or whether there are some of them who can violate the Statute law of the land, and at the same time decline the jurisdiction of the ordinary tribunals.

Called upon, then, to determine this election petition, we decide the case on this one single act—the first one we take up—of one of the gentlemen impugned, the Rev. Mr. Champeau. It is sufficient to determine the case as far as the validity of the election is concerned; and our duty calls upon us to go no further than that one case for that purpose. I have said it is sufficient. Under the decisions in the English cases cited, the matter is beyond doubt; under the decisions here in our own country, the case has been declared with equal plainness on the point as to whether the act in question constitutes an undue influence. The cases were cited at the bar; they are well known, and of course are binding on us as precedents. There is only one which was not, I think, cited—at all events that part of it which I will now refer to. It is the Charlevoix case, in which the well-known and extremely able judgment of Mr. Justice Routhier was rendered. That learned judge held that he had no jurisdiction—a point on which the Supreme Court held a different opinion; but as to undue influence and what will constitute it, the learned judge held precisely what we are now holding, and his language is so clear that I will permit myself to cite it: "En effet," says the learned judge (p. 369 of the report), "pour qu'il y ait intimida-
"tion, il faut que celui qui commet cette
"offense prive, ou menace de priver l'électeur
"d'un bien dont il dispose. Or les sacrements
"sont des biens spirituels dont le prêtre dispose
"suivant certaines règles que l'église lui a
"tracées. Quand le prêtre refuse les sacrements
"à un électeur à cause de son vote, je com-
"prends donc qu'un juge qui se croit compétent
"en matière spirituelle puisse dire qu'il y a
"intimidation." The learned judge's doubt was about the power of the lay tribunal, not about the legal character of the act which is proved in this case. Since the judgment of the Supreme Court in that same case, we do not feel the difficulty which Mr. Justice Routhier felt about the jurisdiction, and we have no misgiving as to the law and the reason of his description of the act. Now, as regards the other cases, though we are not called upon to pronounce upon them as regards the validity of the election, we have been obliged to look at them (and a very heavy labour it has been), with a view to satisfy ourselves not only of their real character in themselves, but also of the personal complicity of the respondent. We might, of course, proceed to apply these principles to the other cases, and to consider the evidence appropriate to each of them; but we purposely abstain from doing so. Though we have been obliged to examine and consider all these charges, and all the evidence, we think we are not called upon to discuss them at length. We merely say that, with the exception of the Rev. Mr. Loranger, we consider undue influence and intimidation to be clearly proved in all the cases; and, of course, for the purpose of applying the law to this case, one single case is as good as a thousand. In declining, then, to go further into these charges as unnecessary for the determination of the case before us, we will merely say that in none of them, including the charge already disposed of, do we see any sufficient or convincing evidence of the respondent's personal complicity with any of those acts. For the same reasons, it becomes quite unnecessary to consider the motion to reject evidence. The case is disposed of without reference to the evidence that was objected to by the respondent; therefore, the petitioners have no interest in having the evidence allowed, nor the respondent in getting it rejected. It only remains to say that we avoid the election on the ground of undue influence and intimidation practised by agents.

Election annulled.

Germain & Co., for petitioners.
M. Mathieu for respondent.