

It then avers, after stating the proceeding relating to an appeal to Rome, that the Administrator-General, taking into consideration all the facts relating to Guibord, "comme membre du dit Institut," had "justement rendu le décret qui l'a privé de la sépulture ecclésiastique," and further, "que ce décret, rendu dans la forme où il se trouve, est d'ailleurs un décret nominal."

Issue was joined on this special replication.

It is to be notified that in this replication it is for the first time alleged that, on the ground of his being "pécheur public," Guibord was disentitled to ecclesiastical burial.

The case was argued before Mr. Justice Mondelet in the Superior Court, on the demurrers and on the merits.

The Court gave judgment for the widow on the merits, and on the demurrers to the first and third pleas, and ordered a peremptory writ of mandamus to issue; but declared that it did not pay any regard either to the widow's special answer to the third plea or the special replication, which it seems to have considered as improperly pleaded.

There was an Appeal to the Court of Revision, before three Judges, who reversed the Judgment of the Court below, quashed the writ originally issued, and dismissed the writ of mandamus with costs.

From this judgment, the widow appealed to the Court of Queen's Bench, and presented petitions of recusation against four of the Judges, which the Judges refused to admit. It is unnecessary to enter upon this part of the case, as in the course of the argument, their Lordships fully expressed their opinion that these petitions could not be sustained.

The Court of Queen's Bench affirmed the Judgment of the Court of Revision; but the Judges did not agree as to the grounds upon which their decision was founded. They discussed at some length the matters raised upon the third plea; but they decided against the Appellant upon the question as to the form of the writ and the regularity of the proceedings.

The questions of form, which are not unimportant, may be dis-