in *Reg.* v. *Roblin*, 21 U. C. Q. B. 352, in the following language:—

"We consider that our adoption of 32 Geo. III. cap. 1, of the law of England * * * included the law generally which related to marriage. The statute 26 Geo. II. cap. 33, being in force in England when our statute 32 Geo. III. cap. 1 was passed, was adopted as well as other statutes, so far as it consisted with our civil institutions, being part of the law of England at that time *relating to civil rights*: that is, to the civil rights which an inhabitant of Upper Canada may claim as a husband or wife, or as lawful issue of a marriage alleged to have been solemnized in Upper Canada.

"The Legislature of Upper Canada have so regarded this matter, as appears by the statute 33 Geo. III. cap. 5, secs. 1, 3 and 6; 38 Geo. III. cap. 4, sec. 4; and 11 Geo. IV. cap. 36, in which they have recognized the English Marriage Act, in effect though not in express terms, as having the force of law here in a general sense, and controlling the manner in which marriage is to be solemnized.

"We find nothing in the ordinances of the Governor and Council of the province of Quebec, nor anything in the British Statutes, 14 Geo. III. cap. 83, or 31 Geo. III. cap. 31, or in any other British Statute passed between the 26 Geo. II. cap. 33, and the time of our adopting the law of England, which can affect us in this matter, nor anything in any British or Imperial act passed since, which either extends to the Colonies generally or to Canada in particular."

Besides the Provincial Statutes above cited by the Chief Justice, reference may also be made to 2 Geo. IV. cap. 11, sec. 1, which contains *express* mention and recognition of the English Marriage Act as in force in Upper Canada. The only case reported subsequent to *Reg.* v. *Roblin*, in which the marriage laws were considered, is that of *Hodgins* v. *McNeill*, 9 Grant, 305, wherein Esten, V. C., takes the same view of the law and substantially follows the previous case.

Both courts agree in this, that while Lord Hardwicke's Act is generally in force, yet the 11th section is not to be considered as part of the law of this Province. That section avoids the marriages of minors without the consent of their parents and guardians first had, and the 12th section provides that if the parents and guardians are of unsound mind, or beyond the seas, or shall unreasonably withhold consent, an application may be made to the Lord Chancellor who has power to order such marriage without such consent. And our courts hold that as it would work great hardship to have the 11th clause in force without the 12th or any other provision as a substitute for it, therefore it is to be taken that in this Province the marriages of minors without the consent of their parents or guardians, are not to be accounted invalid, but simply irregular, illegal, and in breach of the usual bond condition that no impediment exists.

QUIETING TITLES.

We give hereafter the recent orders under sec. 52 of the Act for Quieting Titles. The former orders are rescinded. It will be seen that the chief feature under the new orders is the giving of jurisdiction to the local Masters, subject to the supervision of an inspector in Toronto, so as to enable country practitioners in contested cases, or where *viva voce* testimony has to be given, to attend personally and avoid the necessity of employing counsel in Toronto, or of sending their witnesses for examination.

In consulting the interests of those at a distance from Toronto, by giving jurisdiction to local Masters, it seems to have been felt that some supervision was advisable by reason of the important consequences attending the decision of the referee and the certificate of title under section 30 of the Act. When, therefore, a local Master is named as referee, one of the Toronto referees is to act as inspector, with whom the local Master may, under order 7, correspond for advice and assistance, and by order 4, the petitioner must, when he selects a local Master as referee, endorse on his petition the name of either Mr. Turner or Mr. Leith as inspector, as he may think proper.

There may be cases depending on no disputed questions of fact, but solely on difficult questions of law, or cases in which, from the large amount involved, it may be thought expedient by an applicant to have the assistance of counsel in Toronto, and that the case should be heard before a Toronto referee without the intervention of a local Master, and power is given by order 3 to refer the case at once to either of the referees. Where also a case is referred directly to a Toronto referee, some delay may be avoided which might attend a reference to a local Master, and consequent communications between him and the inspector for advice, or on non-approval of