

from heresy or schism (even when either the latter or the former have fallen away afterwards from the Church) in all cases of betrothal or marriage."

"The same laws are binding also, on such Catholics, if they contract betrothal or marriage with non-Catholics, baptised or unbaptised even after a dispensation has been ordained from the impediment mixtae religionis or disparitatis cultus; unless the Holy See have decreed otherwise for some particular place or region."

"Non-Catholics, whether baptised or unbaptised, who contract among themselves are nowhere bound to observe the Catholic form of betrothal or marriage."

These provisions (with others which are not important in this connection) were not to affect marriages performed before Easter Sunday, 1908.

The case which brought this decree and its results prominently before the public in Canada was the suit of *Hebert v. Clouatre*. The facts connected with this suit were shortly that a man by the name of Hebert, a Roman Catholic, was on July 14, 1908, married to a woman, also a Roman Catholic, by a Methodist minister in Montreal. This minister was authorized by the statute law of Quebec to perform marriage ceremonies. Mr. and Mrs. Hebert lived together as man and wife and had one child. It appears that the husband subsequently for some reason which does not appear applied to the ecclesiastical authorities of his church to have the union dissolved on the sole grounds that it was not solemnized by a priest. The civil suit which followed came before Mr. Justice Laurendeau of the Superior Court of the Province of Quebec. He decided that the ecclesiastical authorities having declared that the marriage tie so solemnized between the parties was null and void, the plaintiff was entitled to have the Superior Court give that declaration full force and effect from a civil point of view.

This judgment is not without precedent, but fortunately it is not without dissent on the Bench. In *Laramée v. Evans*, 24 L.C.J. 235, Papineau, J., on demurrer, held as follows:—"According to the jurisprudence of the country the sentence