

*Note I. Page 36.*

The injunction to solemnize marriage only in the house of God, (when it is within reasonable reach,) according to the excellent and known rule of the Church, had been issued before, in the Cities of Quebec and Montreal; and such an injunction was in accordance with the wishes of Clergymen of the Diocese who, desirous of observing the rule, naturally felt that they ought to be sustained in insisting upon it, by the episcopal authority. Some of the Clergy had, however, for many years before, enforced its uniform observance in their Parishes. I believe it can be hardly necessary to combat a notion so entirely groundless, as that the *Licence* can make it *compulsory* to celebrate marriage, if desired, in a private house. There is no Law, of force in this Province, which *compels* the Clergy to violate the rules of their Church. And the Church, both with reference to Banns and Licence, as may be seen in the Rubrics of the Marriage Service and in the 62d Canon, directs that the ceremony shall be performed in the house of God. The dispensation from this rule which is procured by a *special Licence* from the Archbishop of Canterbury, (and *from him alone*,) serves only to *confirm* the rule in a *more pointed manner*, in the case of *banns* or that of any *other* than such *special Licence*,—since *nothing but such special Licence* can give exemption from its operation. *That exemption* is the *precise object* of a *special Licence*; and no Licence *not specially* issued for *that object*, can possibly have the same effect.

The observance, therefore, of the rule of the Church in this behalf, is certainly *lawful*, and it is certainly *honest*, i. e. seemly and decent and not *contra bonos mores*; and, *being lawful and honest*, it falls, of course, when enjoined, within the matter of the OATH of canonical obedience to the Bishop, which the Clergy who officiate in the Diocese, have taken. But this is a point which I am confident that I have no need to urge.