

They could have been married had they obtained a dispensation; but because a priest of the Roman Church performed an act without an ecclesiastical dispensation, which would have been legal with it the marriage was annulled by our Civil Court! A law which makes our Civil Courts the mere registering machine for the judgments of the Ecclesiastical Court, is one that cannot be repealed too soon. As the question of the Ecclesiastical Court is *sub judice*, I cannot discuss that now.

What a degradation of the human body! Both these persons are now free to marry again. We hold up our hands in horror at divorce, but divorce in this Dominion can only be obtained for adultery. Yet *here is the same thing under a different name*. Two persons who have cohabited for years are free to contract another marriage, because they did not get a dispensation from the authorities of the Roman Church, and our Courts uphold it! I do not say that the Courts are wrong, but I do say that the law which permits such a thing should be repealed.

I claim for our Anglo-Catholic Church equal rights with the Roman Church in this Province and in this Dominion. Do people realize how far reaching this law is, if the interpretation given by our Courts is correct? Let me give an instance. It is contrary to the law of the Church of England for a man to marry his deceased wife's sister. If a man who had married his deceased wife's sister were to come to me as Bishop, and ask me to declare such marriage null, because it was contrary to the Ecclesiastical Law of the Church of England, I have as much right to do so as the Roman Archbishop. If after obtaining my decree of annulment, he went to the Civil Court, I fail to see how the Court could do otherwise, under the decision referred to, than declare the marriage null; and void *ab initio*. Although the Dominion Act permits such marriages, there would be a conflict not only between the Dominion and the Ecclesiastical Law, but also between that of the Dominion and the Provincial Law, as I maintain, is the case under the decision of Judge Bruneau. Though such marriage is forbidden by the Church, I would never think of declaring it invalid, or saying that the children were illegitimate; because I feel that the authority of the Civil Law must be supreme over Ecclesiastical in respect to the *Civil Status* of the contracting parties. That is the point which is being lost sight of. While the Civil Law cannot alter the law of the Church, the Church cannot make invalid that which the Civil Law declares to be valid in respect to *Civil Status*. It is said that the *Ne temere* only effects the members of the Roman Church, and does not effect us, and, therefore, it is none of our business. It is our business. This decree and the enactments of the Roman Church, in view of recent judgments in our Courts, deal with the Civil Status of our citizens, and