

be turned out of their homes on grounds which are certainly highly technical and to many sensible people appear as absolutely frivolous. Happily for them, and happily for us all, we have in the Judicial Committee of the Privy Council an assemblage of lawyers of such pre-eminent ability that it can interpret our laws consistently with reason and commonsense, and show by a singularly luminous and convincing method of reasoning that they are not quite as foolish as our own lawyers made them out to be.

Art. 127 of the Code reads as follows:—

"127. The other impediments recognized according to the different religious persuasions as resulting from relationship or affinity or from other causes, remain subject to the rules hitherto followed in the different churches and religious communities," and counsel for Tremblay succeeded in inducing the Quebec courts to hold that the effect of this article of the Code was to incorporate as part of the civil law of Quebec all the various special prohibitions of each particular religious organization in Quebec, and consequently, all the special prohibitions of the Roman Catholic Church; but the Judicial Committee points out that all the article says is, that they are "to remain" etc., subject to the rules, etc., in other words that they are to have the same effect, that they had before the Code; and that, as before the Code they were no part of the civil law of Quebec, so neither does the Code make them any part of it, but merely treats them as matters not dealt with by the Code; and as to the civil law of Quebec before the Code their Lordships say:—

"With regard to the validity of the marriage so far as affected by relationship between the parties there was no legal restriction excepting such as was imposed by the Statute, 32 Hen. 8. c. 38 which enacts 'that no reservation or prohibition, God's law excepted, shall trouble or impeach any marriage without Levitical degrees.'"

It is needless to say 4th cousins are not within Levitical degrees, so that in the opinion of their lordships Roman Catholics of Quebec need no longer be under any appre-