

submit to them or agree to be bound by them. And in construing all laws relating to or affecting religion regard must be had to this universal principle. All parts of the Christian Church in Canada are in the position of mere voluntary associations, they stand on no higher footing before the law, no matter how great their antiquity or how illustrious their history, than a benefit society; they may make laws for the guidance of their own members and for their enforcement may provide spiritual censures, and may inflict deprivation of religious privileges, but even in administering such private law, they must as far as any temporal right is affected, do it in accordance with their own rules and the principles of natural justice. And they cannot, except as above mentioned, exercise any coercive powers even over their own members, and they have no power whatever to affect or to assume to affect the rights or status of any person who is not a member of their particular body.

In considering provincial laws affecting to deal with marriage, these limitations must be taken into account,—and any ecclesiastical regulation which directly or indirectly assumes to affect the status of persons under no obligation to conform to such regulation, would appear to be *prima facie* void as far as such persons are concerned.

Among other laws relating to marriage passed by the Legislature of the former Parliament of the Province of Canada, is the Code Civil which came into force on August 1, 1866—and this code besides making certain provisions regarding marriage and its solemnization also purports to make certain provisions respecting impedi-