

THE CONCLUSION OF THE TREMBLAY MARRIAGE CASE

In a previous issue we made some observations on this case, and its importance in regard to the marriage law of Canada makes it fitting that we should again refer to it, now that the full text of the authorized report of the Judgment is before us; and more particularly because it not only deals with the validity of the marriage actually in question, but also throws needed light on certain collateral questions about which there has been some difference of opinion, which bid fair to occasion very considerable irritation in one section of our people against another. Canada though perhaps predominantly Protestant, can hardly be correctly described as "a Protestant Country" when so large a proportion of its inhabitants probably 4/10th is of the Roman Catholic faith.

In the circumstances in which we are placed it is obviously the duty of all, while enjoying religious freedom themselves, not to seek either directly or indirectly to interfere with the religious freedom of others, or to endeavour except by persuasive means, to impose on others beliefs or practices which are obnoxious to them, nor should we cast unnecessary doubt or obloquy on the lawful acts and deed of others with whom we happen to differ, merely because they do not conform to our own particular standard. For instance where the law of the land authorizes certain persons to solemnize marriage, it can hardly be consistent with good citizenship to pretend to cast doubt on the validity of the acts of those acting in accordance with that law, on the ground that they have not complied with some other law with which they were under no liability to comply.

The decision in *Despatie v. Tremblay* (1921) A.C. 703 is to be welcomed because it tends to remove from the body politic sources of irritation, and at the same times establishes principles which make for union and good fellowship between the Protestant and Roman Catholic elements of our people.