of service there, he resigned, as being a confirmed invalid. He came to Ottawa, was put on the Methodist ministers' superannuated list, was restored to robust health and has since so continued. He does no active pastoral work now, nor has he any congregation, but earns his living as, and styles himself, a physician, surgeon, public vaccinator, and coroner. Besides carrying on this plurality of occupations, he does what is complained of more particularly, namely, he performs, illegally, as I think, the ceremony of marriage. This biographical notice is necessary to the argument.

The plea advanced by the said R. M. in extenuation of his conduct as a "coupler," is, that once a minister always a minister. Having once received the faculty of performing the ceremony of marriage, he retains it under all conditions and changes of life, office and domicile. He points triumphantly to R.S.O., c. 131, s. 1, and is stubbornly defiant. This section reads as follows: "(1) The ministers and clergymen of every church and religious denomination duly ordained or appointed according to the rites and ceremonies of the churches or denominations to which they respectively belong, and resident in Ontario, may, by virtue of such ordination or appointment, and according to the rites and usages of such churches or denominations respectively, solemnize the ceremony of marriage between any two persons not under a legal disqualification to contract such marriage." At the trial above mentioned, Chancellor Boyd was of the opinion that R. M. was duly qualified in this direction.

Let us examine more closely, and by the light of other times and other statutes see whether it ever had been or was now the intention of the legislature to permit a superannuated minister, *i.e.*, one no longer attached to any congregation or religious community as its minister, and not doing duty as such, to solemnize the ceremony of marriage. In the case in point before us, we find a man responsible to no ecclesiastical authority or subject to no such supervision; without a church, chapel, or meeting house in which to perform the ceremony, or wherein to keep the books registering its solemnization; and yet performing one of the most responsible offices of a minister.

The contention of R. M. strikes me as absurd, and if his interpretation of chapter 131 is correct, then it certainly looks as if common sense, research, and the wisdom of experience had been ignored when this chapter was drafted.

Confining ourselves in the first instance to the Acts of the Parliament of Upper Canada and the Province of Ontario, and the Acts of old Canada relating to this Province, we first meet with 38 Geo. III., chap. 4 (1798), the ancestor of all marriage Acts in this Province. Under its provisions the minister officiating had to be ordained. He had to prove his ordination before the Justices of Quarter Sessions, and produce seven persons who would declare him to be the minister of their congregation or religious body. A certificate from the Quarter Sessions issued, certifying that he was the settled minister, etc. The certificate of marriage ran to this effect: "I, E. F., minister of the community of———, at ——," etc.

11 Geo. IV., chap. 36 (1831), sec. 3, reads as follows: "It shall and may be lawful for any clergyman or minister of any church, society, congregation or