and effective means of accomplishing the object in view (see post p. 117).

Here, however, comes in the question of the dual authority created by the B.N.A. Act which in one clause gives the Federal Parliament the control of marriage and divorce, and in another gives the provincial authorities the right to deal with the solemnisation of marriage, and with this right the bill in question is held to conflict. As a compromise the Government propose to delay any further proceedings until the Superior Court, and, if need be, the Privy Council, shall have settled the question of jurisdiction. In the meantime, and for an indefinite period, the uncertainty as to the validity of certain marriages in Quebec will remain, and the present agitation will continue—a state of things very undesirable in itself, but quite in accord with the methods so often adopted to get out of political difficulties, especially where the interests of Quebec are concerned.

Now it is admitted that the Dominion Parliament has to settle the status of those competent to marry, and the provincial to control the means by which the marriage is to be solemnised. It must follow that, if the provincial authorities by their legislation affect the status of marriageable persons, as, for instance, by decreeing that a marriage between two persons legally entitled to marry, and performed by a person with power to perform it, shall be void because it has not been solemnised by some other person, or in some other way, there has been a change in the status of such parties, and the higher authority has a right to step in and protect them. We contend that the Dominion Government might well have boldly taken this ground, and settled the question without further delay. As it is, it is probable, as was suggested by one of the speakers on the recent debate, that some one of the suits now pending may go to appeal, and so a judgment more quickly and efficaciously obtained than would be possible by the method now proposed.

W. E. O'Brien.