

year the minister or priest of a congregation should procure from the court a blank book initialled, page by page, by one of its officers; and, having at all times in his possession the church register, the minister is ordered to enter in the register and in the blank book mentioned, which is to be an annual duplicate of such register, all the ceremonies he performs of christening, of marriage, and of burial, and he must have these entries signed by the contracting parties and their witnesses, in cases of marriage, and in the other instances, by the nearest relatives.

It requires no legal training to perceive at a glance how inefficient is this method, and how the door is opened to the encouragement of fraudulent practices,—and this is more evident in the case of births—as the lapse of time between the birth and christening of a child may vary considerably with the health of the infant, of its parents, and of the surrounding circumstances. The law fixes no time within which the ceremony should be performed, or that it should be performed at all, and provides no penalty for non-compliance, and such are the ignorance and laxity of many ministers, that instances are not wanting, where in lieu of the parents, relatives, or those required to sign the registers, so doing, the whole entry and signatures are written by the officiating clergyman himself; and again, although in every register the law upon these matters is printed, we have seen the custodians of such registers retaining possession of the duplicate—which should be returned to the court within six weeks of the close of the year—for a period of six years.

These defects apply to the imperfect administration of the law, but the greater question is the imperfection of the law itself.

The law constituting the pastors of congregations the celebrants of these ceremonies and the custodians of these registers, the query which naturally suggests itself is, "In what manner are these ceremonies to be performed, and how is the registration of acts of civil status, in which a person, who is attached to no religious congregation, is concerned, to be made?" The answer would be, "None." The law simply made no provision for any such case. Our codifiers could

evidently not realise that a person could so offend as not to be born into some religion, and marry and die in it, and consequently treated not of absurdities. Yet it was in the latter half of this enlightened century—in 1865—that our code was promulgated.

Tolerance is a word not newly coined, but growing in significance daily; it implies more now than perhaps at its origin was conceived. Under its banner, Church in State must go, and all solely religious reference in laws be erased. It may be that law owes its origin to religion, or rather that religion was the means of promulgating and, preserving laws, hampering them, however, very soon with extraneous matter; *i.e.*, supernatural obligations. Commendable as its inception may be, and thankful as we are for the cause which originated and fostered the law, we find it necessary, in the exercise of equal justice to all, to distinguish between the mundane and the supernatural, the secular and the religious, the acknowledged and the debatable.

Religious belief and ceremonies change and alter. Differences arise between the adherents of the old school and the followers of the new; to avoid conflict, the whole matter of difference, which is not immediately essential to our existence and government, must be placed without the pale of the law. This once acknowledged, the *raison d'être* of any religious qualification in the subject or citizen, in his intercourse with the State, ceases.

In the eyes of the law all must be equal. No examination can be made into the religious belief or disbelief of a man—his thoughts are his own inviolable property, his conscience is not subservient to any other man's dictates. Other and comprehensive worldly tests as to his capacity to enjoy any or all the rights of citizenship, must and elsewhere have been introduced.

Applying these principles to the question proper, there can be no valid reason given for the sole deputing of celebration and of registration of births, marriages, and deaths to clergymen, or of surrounding them with any religious observances. A man who professes no religious belief, or a belief different to that of any established congregation, has