

ity shall be absolutely null and void to all intents and purposes, whatsoever: (see Imp. Stat. 5-6 W. 4, c. 54, s. 2)."

As to provincial legislature he says:—

"One of the grievances which has been revealed by the recent discussion is the fact that certain ministers of religion authorized by statute to solemnize matrimony make use of the public authority thus conferred on them to propagate their own peculiar religious views on persons coming to them for the solemnization of their marriage. This is a clear abuse of a statutory power. The right to solemnize matrimony is given for public purposes, viz., to secure the due solemnization of marriages; that is its purpose, and no other. Parliament in conferring this power had no intention that it should be used by those to whom it is given as a means for promoting any particular form of religious belief—or as a means for depriving any person of, or compelling him to forfeit or agree to give up, any right which the law gives him.

By the law of Ontario, and presumably also by the law of Quebec, and all the other provinces, a father has a right to control the religious education of his children, and to bring them up in his own faith; but some ministers of religion, having the right to solemnize matrimony, utilize their office for the purpose of exacting promises, having for their object the giving up of this right by persons coming to them to be married. It may be answered, no one need give any such promise unless he pleases, but if the minister teaches, as some do, that the marriage will be null and void unless he solemnizes it, and he refuses to solemnize it unless the promise is given, it is clear that a proselytising engine is placed in the hands of persons authorized by statute to solemnize matrimony which the legislature never intended to give them. That appears to be a real grievance which ought to be remedied, and would appear to be a matter within Provincial control—and the following enactment is suggested:—

1. No person authorized to solemnize matrimony shall exact or require directly or indirectly from either of the persons desiring to have their marriage solemnized before him, any promise or agreement whatever touching the religious education or faith of the children which may be the issue of such marriage,