

pronounced upon them though in due time it will no doubt be called upon to do so. Here evidently exists a state of things which cannot be allowed to continue. No doubt as to the validity of any marriage can be tolerated in any self-respecting community. No ecclesiastical authority can be permitted to overstep its legitimate bounds; it may penalize those under its authority who transgress its commands, but it may not either evade or dispute the law by which all are bound alike. These propositions are self-evident, but when we come to enforce them in the Province of Quebec we are met with difficulties not to be encountered in any other part of His Majesty's dominions. There is there a subtle influence which has taken advantage of the complexity arising from facts and conditions such as treaty engagements, French law, ecclesiastical decrees, English common law, Dominion statutes, and Provincial statutes, forming the jurisprudence of the province, and which has persistently, and to some extent successfully, contrived to exercise a power continually working for its own ends, and thereby causing hostility in various quarters. It is the subject of marriage which is now in dispute, the republication or enforcement of the "Ne Temere" decree being the immediate cause of contention.

The object of this decree is in itself praiseworthy. As its title indicates its object is to check or prevent clandestine marriages—for this object it lays down rules such as providing that Roman Catholics must be married by the priest of their own parish, and in the presence of two witnesses. So in England the publication of banns and residence for a certain time in the parish is one of the conditions which make a marriage binding, though other means may be resorted to. It is not the decree itself, but the attempt to engraft a rule existing only in ecclesiastical authority upon the civil law which has caused the trouble now arising and which must be resisted. It is for this purpose that Mr. Lancaster brought into the House of Commons the bill recently debated, and which, with all due respect to the arguments to the contrary, might (if within the powers of Parliament under the B. N. A. Act) have been accepted as giving an easy