

our constitution. To give to the Ecclesiastical tribunals of any religious body whether it be Roman, Anglican, Presbyterian, Methodist, or Baptist any coercive jurisdiction, would be contrary to the principle of religious freedom on which our constitutional system is based. It would be just as contrary to that principle to give Roman bishops coercive authority, as it would be to give it to Anglican bishops, or Presbyterian moderators, or Methodist superintendents. One result of this, however, is that there are certain branches of law formerly administered in France and England by Ecclesiastical tribunals, which have not been definitely assigned to any existing courts in Ontario or Quebec, Saskatchewan, Alberta or the Territories. This difficulty as we have seen was recognized and discussed by the learned Chancellor of Ontario in the case of *Lawless, Chamberlain*, and by other judges: see *supra*, p. 10.

*Impediments to Marriages.*

A most important part of the law of marriage is that concerning impediments to marriage. In all the English speaking Provinces these impediments appear to be regulated by the Imperial Statute, 32 Hen. 8, c. 38, already referred to, and it would appear for the reasons already given that that statute is equally binding and operative in the Province of Quebec.

As we gather from the recital in this statute, prior to its passage marriages were frequently impeached on the ground of some ecclesiastical impediments not mentioned in Scripture, and it also appears that these impediments were created by the ecclesiastical authorities, apparently as a source of revenue; because they might be removed