

HOW TO GET MARRIED.

all about the change of name, and on cross-examination, has an attack of *nom-mi-ricardo*, and will not swear that the wretch at the bar had not read the paper on their marriage eve. On this peg is hung the argument that both Eva and Landon had conspired to deceive the public, and had knowingly and wilfully intermarried without due publication of bans and proper license, and consequently the marriage was void. She was not Mrs. L., and Mr. L. had been free to yed when he met his second love.

Strange this may seem, but the law was good, provided the marriage took place after the fourth year of the reign of his majesty George the fourth. If the wedding had been before that time it would have been different, in the event of Langdon's ignorance, as Miss Mary Hodgkinson, who was married under the name of White, without any intention to mislead or without misleading any one interested, found to her cost, when her union was declared invalid: *Rex v. Tibshelf*, 1 B. & A. 195.

It may be a comfort to some in this world of trouble to know that the employment of a sham clergyman or forged license will not render the service inoperative when the innocent victim desires the noose to hold tight: *Dormer v. Williams*, 1 Curt. 870; *Lane v. Goodwin*, 4 Q. B. 961.

Notwithstanding the widely-spread belief that matrimonial alliances are made in heaven (which, if true, must cause heaven to be anything but a place of rest, and almost require the presence in those realms of the blest of some individuals that one would think might as well be kept out), among all Anglo-Saxon communities marriage is but a civil contract—like an agreement to build a house or to make a bonnet; and the essence of it consists in the consent freely given by a man and a woman able at the time to agree. Force or coercion used towards either party will invalidate the affair: *Stevenson v. Stevenson*, 7 Phil. (Pa.) 386. It would be very unwise, therefore, for any young lady to make a dead set upon an eligible *parti*, and intimidate him into matrimony by threatening imprisonment and such like dire inflictions, for, though the lips of the timid and frightened male murmur assent to the all-important "wilt thou?" yet, neither mind nor heart con-

senting, Justice and Right will rescue the entrapped one, and put asunder those thus joined together: *Collins v. Collins*, 2 Brewst. (Penn.) 575. Mere unwillingness, some degree of reluctance, a show of masculine modesty, a refusal to take the hand of the bride, holding his peace (perhaps his last until he gains the quiet of the tomb), will not, however, enable the bashful swain to reconsider the matter after the justice or parson has performed the ceremony, even though the presence of the parents of the bride and a conservator of the peace in charge of the good man may have somewhat overawed him: *Jackson v. Winns*, 7 Wend. 47. And voluntarily taking up housekeeping, or going into board together, after the cause of intimidation has been removed, will have the effect of making perfectly good (so far as the law is concerned) a marriage at first invalid, brought about by fraud or force: *Hamstead v. Plaiston*, 49 N. H. 84.

And now let us approach the great question, will a marriage, entered into with the entire concurrence of those deeply interested, be valid and binding if all the rites and ceremonies, religious or otherwise, have been absent? This query touches the pockets of all marriageable and marrying "forked radishes with heads fantastically carved," whose business it is to fee—handsomely or otherwise, as the spirit or the circumstances may move them—the officiating priest or magistrate, Nay, more, it affects the pockets of all interested, for clothes, which Carlyle says give us individuality, distinction, social polity—which have made men and women of us—which are threatening to make clothes-screens or scare-crows of us—cost money especially at such times. On this important point doctors (of the law) differ rather widely. Some writers have said "yea" and others "nay" to the question; while courts and judges have said "ditto" and "do" to either response.

Long since, Parsons—ample authority in such matters, we must recognize in the name—said: "Marriage being essential to the peace and harmony, and to the virtues and improvement of civilized society (comfortable words, surely, to many a lonely heart) it has been, in all well-regulated governments, among the first attentions of civil magistrates to regulate marriage. Where the laws of any State