

King's realm or any of his Grace's other lands and dominions to any process plea or allegation contrary to the aforesaid Act." This Act laid down a rule which is applicable throughout the Empire, and which no Provincial Legislature ever had any power to repeal. The prohibited degrees referred to in this Act are those explicitly and implicitly set forth in the Book of Leviticus as more specifically mentioned in the prior statute 27 Hen. 8, c. 7, s. 7, (a) and it would not seem possible for any Colonial legislature to add to, or subtract from, the prohibitions or impediments therein referred to, or to delegate to any religious body whatever any power so to do. It is therefore submitted that all the provisions of the Code Civil of Quebec in reference to impediments to matrimony must be read and construed as having legal force or efficacy only so far as they are in harmony with, and do not controvert, this dominating statute of the Imperial Parliament. No Provincial legislature therefore can validly impose a prohibition that persons of different religions shall not intermarry, or that persons of different colour shall be incapable of matrimony with each other, and if it could not itself impose such prohibitions or impediments to matrimony, is it not equally manifest that it could not delegate to any church the power to do so? And it would seem that even the Dominion of Parliament in the plenitude of its power could not deal with such a question adversely to the statute of Henry VIII.,

---

(a) This Act, though repealed, is held to be still to be resorted to as being the Parliamentary explanation of the words "God's Law" in 32 Hen. 8, c. 38; see Reg. Chadwick 11 Q.B. 173; Brook, Brook 9 H.L.C. 193.