

The *Hebert* case, in which the child of the marriage is deprived of its legitimate status, and the still more recent *Howden* case involving the annulment of a marriage celebrated thirty years ago calls attention to the extraordinary range of this astonishing invasion of civil rights. Worst of all is the indifference displayed to the incalculable suffering inflicted upon wives and children for the sake of temporal authority, which can only be maintained at the cost of the civil liberties of our people.

The proclamation of the "Ne Temere" decree has provoked emphatic protest in Canada as well as in other countries. It is rejected in Germany and non-existent in Austria. In Italy the new civil code, which deprives priests of the power of celebrating marriage, indicates the extent of the revolt against the ecclesiastical pretensions so far as Canada is concerned. We trust we have heard the last of any attempts at ecclesiastical interference with the marriage laws of this Dominion. They simply cannot and will not be permitted.

DISCRETION IN PENALTIES.

"My object all sublime
I shall achieve in time—
To make the Punishment fit the Crime.
The Punishment fit the Crime."

The Mikado.

This quotation from one of the most justly famous of comic operas may, at first sight, appear to be scarcely a fitting prelude to the discussion of so serious a subject as that intended—namely, the exercise by judges and magistrates of their discretion in the imposition of penalties for breaches of the law. Nevertheless this clever rhyme, composed, I believe, by one who was formerly a practising barrister, aptly expresses that which should be the principal aim and object of all makers and interpreters of the law.

Of the making of statutes and ordinances there is no apparent end; such at least is the impression conveyed by the perusal, year by year, of our statute books. Much time and labour is