

edged by the parties and witnesses in the manner required for the acknowledgment of a conveyance of real estate to entitle the same to be recorded; such contract to be filed within six months in the office of the clerk of the town or city where the marriage was solemnized.

The legislators of Pennsylvania do not meddle much with matrimonial laws; not more than two or three alterations have been made in the Act of 1701—one made in 1885 expressly authorizes a Quaker man and woman to solemnize their own marriage. Now, as in 1701, the bride and groom taking each other by the hand, are permitted to plight their vows in the presence of at least twelve witnesses, one of whom must be a justice. How much more liberal this is than the English law as laid down in the Rev. Mr. Beamish's case by the House of Lords; or the law of the wee state of Delaware which by an Act of 1780 (which still governs), allows white people to be married only by ministers or preachers of the gospel duly ordained according to the rites and ceremonies of their respective churches (making an exception only in favor of the mayor of Wilmington, who by Act of 1874 is allowed to perform marriages); and this although the Marriage Act says "that sober, discreet and advised unions in matrimony is the duty of every good citizen."

In nearly all the Western States those seeking to enter the matrimonial state can have at their option either a civil or a religious celebration. Some of them require witnesses; for instance South Dakota, like New York, is satisfied with one; but Alaska, Michigan, Montana, Minnesota, Idaho, Nebraska, Nevada, North Dakota, Oregon, Washington, Wisconsin and Wyoming, insist upon two.

Montana and South Dakota have still a peculiar provision for contract by declaration, which practically allows people to celebrate their own marriage and to do so clandestinely if they see fit. Consent alone (they hold) does not constitute marriage; but it is marriage if the consent be followed by a solemnization or by a mutual assumption of marital rights, duties and obligations; consent and subsequent consummation may be manifested in any form and may be proved as any other fact. If there is no solemnization then the parties must make a declaration showing names, ages, and evidence—the fact of the marriage and that it was not solemnized. This law was in force in California until 1895 and gave rise to the famous "contract marriages," of which the Sharon one was the most famous.

In Idaho and California neither party to a nuptial contract