

Hindu and a Komati could not contract a valid union with anyone not of the same race and caste. The Court held the marriage valid in England on the broad ground that it had been celebrated in a country where there was no prohibition, and further stated that no sufficient reason had been given or principle stated from which it would follow that the Courts of India would apply Hindu law or usage under similar circumstances. To the Hindu of Brahmanic faith marriage is the performance of a necessary religious duty, and is usually entered into at an early age, as future salvation is believed to depend upon the continuation of the family. Bearing this fact in mind a Canadian woman may take it for granted that few, if any, Hindu immigrants, students, or visitors, of mature age, are unmarried, and even if they have contracted no prior matrimonial tie, yet upon their return to India their law allows them to enter into other marriages at will(36). The Chinese also contract early marriages. To die without leaving a son to perform the burial rites and offer up the fixed periodical sacrifices at the ancestral tomb, is one of the most direful fates that can befall a Celestial, and few men pass the age of twenty without taking a wife(37). There is in all cases the same presumption as to prior marriage that has been referred to in the case of the Hindu, with the distinction that the national law of China allows but one wife. Concubinage is permitted, however, and these "secondary wives" as they are sometimes termed, enjoy a legal status(38).

It is impossible within the limits of a magazine article to cover all the *Impedimenta dirimentia* of foreign states(39), but the most notable causes of nullity have been indicated, and it is hoped the necessity demonstrated for a full enquiry as to the requirements of the national law of any alien with whom a Canadian woman may be about to contract marriage.

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(36) "A Hindu may marry as many wives as he chooses": Iyer, p. 413.

(37) Douglas: China, p. 115.

(38) Alabaster: Notes and Commentaries on Chinese Criminal Law, p. 171.

(39) See articles by the writer in Harvard Law Review, vol. XXX, No. 2, on Age and Consent, and American Law Review, vol. LI., No. 3, as to other impediments.