

ments to marriage. After specifying certain impediments—s. 127 provided:

"The other impediments recognized according to the differing religious persuasions as resulting from relationship or affinity, or *from other causes*, remain subject to the rules hitherto followed in the different churches and religious communities. The right likewise of granting dispensations from such impediments appertains as heretofore to those who have hitherto enjoyed it."

This provision seems to legalise whatever matrimonial prohibitions, any religious body may at the time of its passing have seen fit to impose, and to give the force of temporal law to such prohibitions, and to ecclesiastical dispensations therefrom.

It appears to be, however, a matter for very serious consideration whether this section can by any possibility have any such effect.

The grant of constitutional rights of self government to a colony or other Dominion of the Crown does not involve a right to repeal any statutes of the Imperial Parliament which *ex proprio vigore* have operation throughout the Dominions of the Crown. The framers of the Code seem to have overlooked the fact that the statute 32 Hen. 8, c. 38, provides what degrees of relationship are alone to constitute impediments to marriage—and expressly declares that "no reservation or prohibition, God's law except, shall trouble or impeach any marriage without the levitical degrees; and that no person of what estate, degree or condition soever he or she be shall after the first day of the said month of July [1540] aforesaid be admitted in any of the spiritual courts within this the