

There are also certain other phases of the subject in which there will be common agreement that the time has come for the adoption of important changes in the law.

Two or three instances will serve.

The law, as interpreted in Ontario, which tolerates polygamy in practice among nominal monogamists, but punishes polygamists who are also Mormons in name, is by common consent a scandal; and however doctors of law may differ as to the advisability of a divorce court for Canada they will all agree in reprobating divorce by special Act of the Parliament of Canada.

There will not be a unanimous request for full legal recognition of the science of eugenics, as applied to the marriage relation, but all will probably agree that the presence of certain communicable diseases in one of the parties ought to be an impediment to marriage, and there will be a disposition to give a respectful hearing to the arguments of those who urge that feeble-minded persons ought not to be permitted to marry.

Though the Dominion Parliament is authorized to legislate on the entire subject of marriage and divorce (excepting only the solemnization of marriage, which is assigned to the Provincial Legislatures), the federal field remains almost wholly uncultivated, the entire body of Dominion legislation on the subject, apart from the Criminal Code, being comprised in three lines in the Revised Statutes of Canada, the effect of which is to legalize the marriage of a man with his deceased wife's sister or his deceased wife's niece.

Ought it to be too much to hope that at no very distant date the Parliament of Canada will turn its attention seriously to this subject and enact legislation that will remove existing anomalies and bring the law abreast of public sentiment and of modern social conditions?

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