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MARRIAGE WITH DECEASED WIFE'S SISTER.

In view of the recent change in the law of England it will be of interest to refer to an article on this subject which appeared in our columns two years ago (ante, vol. 41, p. 345), where it was discussed at some length.

The contest between the Lords and the Commons has at length been concluded by a victory for the latter and for those who for years have sought to legalize marriage between a man and his deceased wife's sister. As our readers are aware the law now passed in England has been in force in this country since 1882.

The enactment as it now appears in the Revised Statutes of Canada, 1906, c. 105 (which is an epitome of 45 Vict. c. 42 and 53 Vict. c. 36) is thus expressed: "A marriage is not invalid merely because the woman is a sister of a deceased wife of the man or a daughter of a sister of a deceased wife of the man."

This provision now appears in its proper place in the statute book, not hidden away as it was in the revision of 1886 as an Act which was "not considered a proper Act to be consolidated." This has already been remarked upon as odd on the part of the revisers; but whatever was the cause of this the opposition to the change both here and in England came from the clergy of the Churches of England and of Rome. It may be noted that there is no legislation as to the marriage of a widow with her deceased husband's brother, possibly for the reason suggested in the article referred to at page 356.