

riage, and it is consequently difficult to say if those Provinces have any law of marriage at all except the Dominion Statute permitting marriage with a deceased wife's sister or niece (which for reasons already given appears to be of doubtful validity): see R.S.C. 105, the Imperial Statute 32 Hen. 8, c. 38, relating to prohibited degrees as modified by the Imperial Statute 7 Edw. 7, c. 47, and such Provincial Statutes as they have respectively passed regulating the solemnization of marriages within their borders.

What is Marriage?

We all know that marriage is as a matter of fact the union of man and woman in the relationship of husband and wife, but as Lord Stowell said in *Lind v. Belisario*, 1 Hagg Con. R. 230, "Opinions have divided the world as to the nature of the contract. It is held by some persons that marriage is a contract merely civil, by others that it is a sacred, religious and spiritual contract." It might also be said that there are others who consider that Christian marriage is both a civil and religious contract, on the one side it involves certain civil duties, rights and obligations, and on the other it involves certain spiritual rights, duties, and obligations, and a relationship of so sacred a character, that it is only when the spiritual side of the contract is fully appreciated, that the contract can be properly performed.

It may now be useful to inquire how is this relationship of man and wife constituted, for although the subject is of universal interest, it is probable that very few