

Q. No, go ahead.—A. I would like to say something about the mental side before I finish, because I feel strongly that some legislation should be inaugurated in Canada debarring from marriage certain hereditary types of mental conditions with which we are all familiar. We have such legislation in Ontario and Manitoba, but it is of no value, because medical certificates are not demanded. I would like to say this, that with regard to the Bill under discussion we would get more information by considering results of such legislation in the United States than by perhaps any other means, and particularly in connection with the state of Wisconsin, where they have had a Bill in operation since 1913, and where the Russell Sage Foundation conducted an exhaustive survey in 1925—that is, after the Bill had been in operation from 1913 to 1925—12 years. Mr. Fred. S. Hall was in charge of the survey and attempted to discover if the Bill was any good, whether any results were accruing, in what way the Bill had worked, and where it was at fault. I would think that the members of this Committee, if they have not already done so, could not get better information than can be obtained from this publication of the Russell Sage Foundation,—“Medical Certification for Marriage,” because it contains the opinions of medical men in the state of Wisconsin as to how the legislation is working out—and if anybody should know whether it is working out satisfactorily, it should be the medical men. So if it will not take too much of your time I would like to draw your attention to the chief things in this Wisconsin report. There was only one copy of this book in Toronto, and I had to get it through the University before they would let me have it from the Reference Library. But if you were to write to the Russell Sage Foundation they would send you copies, I am sure.

As has already been stated there is legislation in twenty of the states of the Union, but for the most part that legislation has led to nothing, because of the type of legislation enacted. There are only a few states where they have demanded medical certificates. In those states where they do not demand medical certificates the legislation might just as well not be on the books.

Q. It is a dead letter?—A. Yes, it is a dead letter. It is interesting to see that only one state in the American Union has had sufficient courage to demand medical examination for both men and women—and that is the state of New Mexico.

*By Hon. Mr. Schaffner:*

Q. Only one?—A. Yes. It has been brought up time and again in Wisconsin, where the legislation is working well, and they have not the courage to ask for medical certificates from women, because in certain cases it would necessitate vaginal examination, and public opinion apparently would not stand for that. Although, in that regard, deputations of women have said that they would stand for it—but the men will not. That is a rather interesting situation. The way in which the legislation has worked is this: After the operation of the Act for twelve years the Russell Sage Foundation were able to get in touch with 1,110 physicians of the state. Those men were sufficiently interested to write to the Russell Sage Foundation concerning what they thought of the Bill; such a response is remarkable. It shows the interest on behalf of the medical profession in Wisconsin, because our experience is that you may write to members of the medical profession and you are lucky if you get any answers at all. But in Wisconsin 1,110 considered the questionnaire well worth answering.

Let me outline to you the main features of this Wisconsin law, because my opinion is that Canada would not stand a stronger law than Wisconsin has had for thirteen years; it does not seem to be reasonable that we would. I would like to make this clear, that there would be no chance in the world of getting legislation through in any part of the United States demanding a Wasserman in every case—not a chance in the world.