

It will be noted that whilst by virtue of the Dominion legislation above referred to a man may lawfully marry his deceased wife's sister or his deceased wife's niece, he may not marry his brother's or his nephew's widow, and a woman may not marry her deceased husband's brother or his nephew or her deceased sister's husband. It is also to be noted that this prohibition extends to the half-blood, and includes illegitimate relationships. The table of prohibited degrees as set out in the appendix to the Ontario Act is in force in all the provinces.⁴⁹

(4) *Spiritual or official positions.*—The Quebec Civil Code provides that the "impediments recognized according to the different religious persuasions as resulting from relationship, affinity or from other causes, remain subject to the rules hitherto followed in the different churches and religious communities."⁵⁰

It has been held by the Quebec Courts that under this provision the Roman Catholic Church has power over its own members to annul the marriage of a person who has taken solemn vows as a monk or nun or is in holy orders.

"According to the jurisprudence of the country, the sentence of the Roman Catholic Bishop, regularly pronounced and deciding as to the validity or nullity of the spiritual and religious tie of

49. R.S.O. (1914) ch. 148

A man may not marry his

Grandmother,
Grandfather's wife,
Wife's grandmother,
Aunt,
Uncle's wife,
Wife's aunt,
Mother,
Stepmother,
Wife's mother,
Daughter,

Wife's daughter,
Son's wife,
Sister,
Granddaughter,
Grandson's wife,
Wife's granddaughter,
Niece,
Nephew's wife,
or his
Brother's wife.

A woman may not marry her

Grandfather,
Grandmother's husband,
Husband's grandfather
Uncle,
Husband's uncle,
Father,
Stepfather,
Husband's father,
Son,
Husband's son,

Daughter's husband,
Brother,
Grandson,
Granddaughter's husband,
Husband's grandson,
Nephew,
Niece's husband,
Husband's nephew,
or her
Husband's brother.

50. Civil Code of Quebec, Art. 127.