

court in England during the last century. This court, now a branch of the High Court of Justice, is empowered to grant absolute divorces, and divorcees are by statute permitted to marry other persons.

In Canada some of the provinces had prior to Confederation established provincial divorce courts which were continued in existence after Confederation, although by the British North America Act the jurisdiction over marriage and divorce is vested in the Dominion Parliament. Up to the present time that Parliament has established no court with power to grant divorces, but the Parliament of Canada assumes a Parliamentary jurisdiction to grant absolute divorces and to give to the divorcees power to marry other persons, similar to that exercised by the English Parliament prior to the establishment of the English Divorce Court.

It is somewhat to be feared that the divorce habit is growing in Canada. We have to the south of us an example of what may happen, and it is surely an example which for the moral welfare of our country we should avoid rather than follow.

The indissolubility of the marriage tie is to this day the doctrine of the greater part of the Christian Church, and when temporal rulers refuse to give coercive effect to that doctrine a conflict arises between Church and State which is to be regretted. The disposition to do that which the temporal law allows is strong, when it is also the dictate of inclination, even though it be an act which the Christian Church, as the exponent of the divine law, adjudges to be an offence against that law; and people are apt to think that because a temporal legislature permits a violation of the Christian law of marriage, that because such violation is followed by no temporal disability it ceases to have any moral effect; but, of course, temporal legislatures, whatever they may assume to do, have no power to repeal divine laws.

This is a view of the matter which is not properly appreciated, but it is none the less true. A temporal legislature might do away with all temporal penalties for theft or any other im-