

council, and council of the archbishops, bishops and abbotts, and all the clergymen of the realm, that the same be amended.

It then enacts, among other things, that no bishop or arch-deacon hold pleas any more in the hundred, concerning the episcopal laws, nor bring to judgment of secular men a cause which appertains to the government of souls ; but whosoever shall be impeached according to the episcopal laws, for any cause or fault, shall come to the place which the bishop shall have chosen and named for this purpose, and there answer respecting his cause, and do right to God and his bishop, not according to the hundred, but *according to the canons and episcopal laws* ; “ *sed secundum canones et episcopales leges rectum Deo et episcopo satisfaciat.*”

Mais comme disent les commissaires ecclésiastiques de George IV. “ In England, the authority of the Roman canon law was at all times much restricted, being considered in many points repugnant to the law of England, or incompatible with the jurisdiction of the courts of common law ; so much of it as has been received, having obtained by virtual adoption, has been for many centuries accomodated by our own lawyers to the local habits and customs of the country ; and the ecclesiastical laws may now be described, in the language of our statutes, as “ laws which the people have taken at their free liberty, by their own consent, to be used among them, and not as laws for any foreingn Prince, Potentate, or Prelate.”

Quoiqu'il en soit il est reconnu que les causes matrimoniales ont toujours été du ressort des cours ecclésiastiques en Angleterre jusqu'en 1857, où par la 20 et 21 Vict. c. 85, elles ont été transférées dans la cour appelée “ The court for divorce and matrimonial causes.”

En confrontant les lois canoniques Anglaises et les lois canoniques Romaines on voit qu'elles ont une commune origine, et elles n'ont de différence que ce que la Réforme y a changé comme incompatible à ses principes. Voyez Burn's Eccles. Law ; Vo. Mariage.

Le pouvoir ecclésiastique Anglais s'est toujours cru autorisé