

In these circumstances resort was had to Parliament in individual cases: but it is needless to say that Parliament was only competent to exercise a civil jurisdiction, and though it might assume to dissolve lawful marriages and authorize the parties to marry again in the lifetime of each other, it had and could have no jurisdiction in the spiritual sphere, and if the true Christian doctrine of marriage is, as many Christians believe, summed up in the words "Whom God hath joined together, let no man put asunder," then neither a Pope on the one hand, nor a Parliament on the other could have any possible right to dissolve a lawful Christian marriage for any cause whatever. If on the other hand the exception in the Gospel according to St. Matthew is really authentic, a dissolution of marriage on the grounds of adultery would be admissible, and not contrary to the Christian religion. When therefore Parliament by any individual law, or by any general law, authorizes the dissolution of lawful marriages for any cause other than adultery, it is virtually authorizing persons to commit with impunity a breach of the moral law of the Christian religion; and is relieving the spouses who marry again in the lifetime of each other from the penal consequences of bigamy.

IV. *Introduction of Divorce Law in England and Canada.*

In 1857 a notable change was made in the matrimonial law of England when a statute was passed committing to a temporal Court the jurisdiction to grant divorces not only for adultery but also for cruelty, desertion, and other specified causes; and the matrimonial jurisdiction of the Ecclesiastical Courts was taken away. A like jurisdiction to that conferred by the English statute has been vested in the civil Courts of British Columbia and the other Western Provinces of the Dominion. And by the pre-Confederation legislation the power to grant divorces was vested in the temporal Courts of the Maritime Provinces.

In Ontario the law as to marriage and divorce is still the law as it existed in England prior to 1857 save that there is no Court having jurisdiction to grant divorces of any kind either *a mensa et thoro* or *à vinculo*, nor even sentences of nullity of marriage. That there ought to be some Court in Ontario having matrimonial