

or enforce, except to a limited extent, the moral law against adultery or coveting. Such moral laws as it selects for enforcement it first makes temporal laws, and the penalty imposed is not for breach of the Divine law, but of the human law which is made to enforce the Divine law. These considerations are important when we come to consider what should be the action of the State in regard to the questions of marriage and divorce. Marriage has always been considered by Christian people as involving religious considerations and for many years in England it was a matter within the jurisdiction of the Ecclesiastical Courts. Christian marriage is defined to be the union of one man with one woman for the term of their joint lives. By many Christians their union is regarded as absolutely indissoluble for any cause whatever, that is the accepted doctrine both of the Anglican and Roman Churches, by others a dissolution on the ground of adultery is regarded as admissible; and by others a dissolution for many other causes such as crime, desertion, cruelty, incompatibility of temper, etc., is regarded as warranted.

In regard to marriage, up to comparatively recent times the State in England gave effect to the doctrine of the Church concerning Christian marriage, and, even for purposes purely civil, it made no provision for dissolving lawful marriages. This was the law of England up to the year 1857.

### III. *Cause for Parliamentary Divorces.*

One of the earliest steps in the Reformation in England was to abolish all ecclesiastically devised impediments to marriage and practically to give the sanction of temporal law to the prohibitions in the Book of Leviticus, as being the only prohibited degrees henceforth to be recognized in the British Dominions as lawful impediments to marriage. The consequence of this was the disappearance in England of the ecclesiastical machinery for what was nominally nullity of marriage but really divorce. From the time of the Reformation until the year 1857 no judicial tribunal, ecclesiastical or civil, existed in England whereby an absolute divorce could be granted, the Ecclesiastical Courts having no jurisdiction to pronounce divorce *à vicculo* but only from bed and board.