

It comes rather from a minority which lightly regards the marriage tie, and which does not realize the evils sure to flow from its easy rupture. This clamour is no doubt fostered by the knowledge of the lax views as to marriage prevalent in the United States of America. The condition of things there however ought to be to us a warning, and not an example for imitation. Mr. Francis M. Moody, the Executive Secretary of the International Committee on marriage and divorce, which is attempting to get uniform laws of Marriage and Divorce throughout the United States, recently stated that the divorce situation in the United States is at present worse than it was in Japan in its worst days of heathenism. He said: "In 1916 Japan had one divorce to every seven marriages approximately. Seventeen of our States had ratios ranging from one divorce for every six marriages in Kansas, to one divorce for almost every marriage in Nevada." Such is the result of the divorce laws of that country, and we do not think that any judicious lover of his country would wish to see Canada enter on such a downhill road.

## *II. The Religious Side of the Question.*

From what has been said we do not think that in considering what is the duty of the State in Canada in regard to the question of marriage and divorce that the religious aspect of the question can be properly ignored even in a legal discussion of the question. It was a familiar phrase in the mouths of some of the eminent English lawyers of a former age that "Christianity is a part of the law of the land," and this was a very prevalent opinion among lawyers even in recent times. A few years ago, however, the House of Lords gave a rather rude shock to the idea; and one learned Lord declared that the phrase was "a mere rhetorical expression;" and a dispassionate consideration of the question must lead to the conviction that the noble Lord was right. Christianity as generally understood is both a system of dogmatic belief and a system of life and morals founded on that belief. And as such it cannot truly be said to be part of the law of the land. In former days in England it is true the State did assume to enforce the Christian religion, or what was generally regarded as such,