

ignoring the existence of the Act of Parliament above referred to, and overruling former decisions of the Courts of Law and Equity founded thereon.

How far this argument may be applicable in Canada is another matter. Here we have no Act of Uniformity and no legislative adoption of the Christian religion in any form. It has been assumed by some judges that it is a part of the Common Law of England and as such became part of our law, but in the light of the recent decision of the House of Lords it is perhaps doubtful whether Christianity can be said here to be part of the law of the land as it is in England, at all events we are not able to point to an Act of the Legislature whereby the Christian religion has been formally adopted as the religion of the State.

DIVORCE IN SASKATCHEWAN AND ALBERTA.

Mr. Bram Thompson's interesting article on the subject of Divorce in Saskatchewan, which appeared in the October number of the *Canadian Law Times*, seems to deserve an answer, especially as the learned editor, no mean authority on our constitutional law, has given the article his approval.

Mr. Thompson claims that the law of divorce is part of the Common Law. If we look at the question as it stood prior to the Reformation, it will be found that marriage and divorce were within the jurisdiction of the Courts Christian, or the King's Ecclesiastical Courts, which owed their foundation to William the Conqueror, prior to whose reign the Bishop sat in the County Courts, and temporal and ecclesiastical law were administered in England by the same tribunals. When that King established the Courts Christian in England, jurisdiction in certain matters was implicitly conferred on them; among others the questions of marriage and divorce, which were regarded as matters within the sphere of the Christian religion, and therefore proper to be determined in the Courts Christian because marriage was accounted a sacrament. But when we speak of divorce it must be remembered that there were two kinds of divorce; one from bed and board