

ignore that laws and courts of justice exist all over the world, which provide ample and sufficient protection? In Canada, as elsewhere, the action of separation from bed and board is on our Statute book. By such separation the guilty party is divested of certain rights which he had the privilege to enjoy by his marriage contract, and both consorts are granted their liberty. This is not divorce *a vinculo*, but incomplete and temporary separation, which the consorts can destroy at any moment, under certain conditions provided by law. Those principles of civil and canon law are in accordance with both nature and Christ's inculcation. To shut his eyes to the shining influence of those principles is to fall back on the dark period of antiquity, when Paganism was the rule of the world, when men were living in a degraded condition, like cruel tyrants, and women were nothing but slaves. The theory of public law, or *jus gentium*, is a sensible and reasonable proposition, and is more in harmony with the spirit of our modern civilization; nevertheless, our enlightened society will always hold in contempt the institution of divorce, lest it should be given as the violent offspring of that higher law, which, according to the opinion of the critic, must prevail. I repeat it, for the Catholic population of this country, this principle of our constitution, whose effect is to destroy completely the matrimonial bonds of consorts, is in direct opposition with the doctrine of the Catholic Church, and when the correspondent says: "No sacrament can cover civic crime," he interferes in a question which he is not competent to decide.

The feeling about unhappy matrimonial unions, whose bitterness it is intended to alleviate by broader legislation, is, I know, suggestive of some sympathy and philanthropic argument. But the experience of past centuries is a lesson for our young Canada. What has been a curse for humanity in ancient times will be the curse of present and future generations. Then any serious move in the way of creating a Divorce Court for Canada must be impeded by all means. There is a sufficient number of courts of justice in this country to adjudicate upon all questions of nullity of marriage and on ac-

tions for separation from bed and board.

This line of argument will be found perhaps too rigid for "M. M." In the face of the following assertions of the writer, I am bound to take more than a sensible view of the disputed question: "State and Church are distinct," and the correspondent adds in the same strain: "We give unto Cæsar the things that are Cæsar's; unto God the things that are God's. The mind that ignores such doctrine is unfit for self-government, unfit to rule Canada in its enlightenment, and in every regard, is not in harmony with the spirit of the age." Well, now, I appeal to the best second thought and wisdom of the writer. Do not the eminent men and the authorities whose testimony he invokes, agree to declare that indissolubility of marriage is the real safeguard of family purity and public order? Have not social and religious institutions of every country admitted the necessity of abolishing divorce laws enacted by special legislation, as a means to check the increase of public and private corruption consequent on their promulgation? I might quote innumerable authorities and precedents to sustain my opinion. Suffice it to say that modern civilization does not care to go through the ordeal of all the scandals and disorders which have been the lot of humanity in times past.

In concluding these remarks I cannot but enter my solemn protest against the error which seeks to separate the interests of Church and State on the question of indissolubility of marriage. These interests are identical, and in their union only can we find the true remedy against the immoral pursuit of a legislation favorable to divorce. A policy inimical to such doctrine is a real danger for Church and State.

In the words of the correspondent, I will now close and say: "The mind that ignores such doctrine is unfit for self-government, unfit to rule Canada in its enlightenment, and in every regard is not in harmony with the spirit of the age."

J. L. ARCHAMBAULT.

Aug. 1, 1889.

THE JUDICIARY OF ILLINOIS.

The following is from Lusk's "Eighty Years of Illinois Politics and Politicians":—