its provisions will be sustained. It is not the law projected by Naquet or voted by the Chambre, but as modified, curtailed and restored by the Conservative Senate.

The clauses most condemned are the second, which may be re-established as in the law of 1803, and the facultative portion of the last clause, giving judges the option whether or not to convert the decree for a *séparation de corps et de biens* into one of absolute divorce. This will probably be made obligatory.

The re-establishment of clause 2 as in the text of the old law is not so absolutely prejudicial to the wife as would at first appear. For while under that law clause 2 gave her no right to demand a divorce for the simple infidelity of her husband, yet it could be obtained under clause 3 for "grievous injury." Although the granting this was left to the discretion of the judge, divorce was usually accorded on the ground that marital infidelity on the part of the husband was a "grievous injury" to the wife.

Indeed this 3rd clause had a general and saving effect, for it was applied in cases where clause 4 was not effectively, but morally true; as although a wife could not obtain a divorce for a mere misdemeanour, yet if the misdemeanour evinced moral degradation or turpitude, it would be considered a grievous injury, and a divorce granted on this ground.

The facility with which a *séparation de corps et de biens*, or a limited divorce, may be converted, under the new clause in the recent divorce law, into an absolute divorce on a mere *ex parte* motion, is not the radical change it would appear to Americans, for a limited divorce in France is not a palliative for an absolute divorce, as in New York and elsewhere, granted for causes insufficient to sustain an application for an absolute divorce, but is decreed for identically the same causes. In the law of 1803 it was made coexistent with an absolute divorce, as a concession to the conservative and religious element of the people who regarded marriage as an indissoluble sacrament.

The procedure under the new divorce law is purposely complicated and slow; the object being that parties to a divorce suit shall have sufficient leisure and opportunity to reflect upon the gravity of the steps they propose to take, and the serious nature of the bond they wish to dissolve. More than this, the judicial authority, which in France is much more extended than with us, and has a *quasi* paternal or patriarchal character, twice intervenes, and the judge *in camera*, having cited the parties to appear in person before him, admonishes and endeavours to reconcile them.

The libel or complaint of the plaintiff, which in France is a simple statement, devoid of the technicalities inherent to such papers with us, is presented by him in person to the judge, and explained and discussed. Should the statement appear sufficiently well founded to warrant a divorce suit, and should the plaintiff remain obdurate to the perfunctionary administration of the judge, the latter issues a citation to the defendant, as well as the plaintiff, to appear before him *in camera*. Here he uses his endeavours to reconcile the parties, going through the patriarchal comedy for a second time. Should it prove unsuccessful, and the plaintiff persist in his purpose, which he very naturally does (not having begun his suit for the mere pleasure of being lectured by the judge), his statement, and the papers in support thereof, are transmitted by the judge to the attorney-general (or district attorney [*procureur-général*]) (who is always a party to a divorce suit) and the court, the presiding judge of which, after hearing the attorney-general, either accords or refuses to plaintiff the permission to issue a summons. Here then commences the suit proper, the procedure of which may be divided into two phases, the private and the public.

The parties, as previously, appear before a judge *in camera*, but this time accompanied by their respective counsel, who state the grounds upon which their clients demand or oppose a divorce, mentioning the proofs they possess and the witnesses they intend to subpœna. Discussions between the parties naturally ensue, and objections are made to the proofs offered and the witnesses to be cited; all of which, with such further observations as the parties may choose to make,