

may speak, but may not vote; in practice members of the House of Commons may also attend. Although R. 152 provides that in cases not covered by the rules the general principles upon which the Imperial Parliament proceeds in dissolving marriages shall be followed, the rule has in practice been regarded as permissive only and not imperative, and the Senate has never felt itself bound by the decisions of the House of Lords. Another similar defect is the fact that the Senate observes precedents only when it chooses to do so; unlike a court of law, it is not bound by them; and the result is that solicitors are left in the embarrassing position in advising clients, that what the Senate has done before is an indication merely and not a guarantee as to what it will do again. Although it probably is impracticable for Parliament to limit its almost omnipotent powers by adopting a rule that precedents are to be followed in the manner in which they are followed in courts of law, yet the practice of the latter in the matter might well be more closely adhered to than it is at present.

The House of Commons, not being particularly concerned with divorce bills, has adopted no special rules relating to them, but has left them to the practice relating to other private bills.

There is of course no appeal from the action of Parliament—except to have the bill introduced again at a subsequent session.

The same principles in regard to proving a legal marriage, the unimportance of the place of commitment of the offence, and domicile as were noticed above in connection with Provincial Divorce Courts apply to Parliamentary divorces.

4. JURISDICTION. DECLARATIONS OF NULLITY.

By those not connected with the legal profession, declarations of nullity are frequently confused with divorce. In their practical effects, they may be somewhat similar, but technically there is a vast difference; and cases do occur where this technical difference impresses itself in a far-reaching manner—e.g., as regards legitimacy of issue, and as regards re-marriage prior to the declaration. Divorce starts with the basis of a legal marriage; a declaration of nullity has as its basis the absence of a legal marriage—the absence of the status of husband and wife. In the Provinces where there are Courts with jurisdiction over divorce, it is not surprising that these Courts have jurisdiction to hear applications for declarations of nullity; in On-