

and her future happiness far more prejudiced. Before the Ecclesiastical Courts the sexes had been on an equality; the inequality had its origin in divorce by Private Acts—passed by a Parliament of men. The equality of the sexes on this question is recognised throughout the United States, and was strongly recommended by both the majority and the minority reports of the British Commission of 1912.

Wilful desertion without the consent or against the will of the other party and without reasonable cause for two years and upwards is a ground for a sentence of judicial separation. Clearly such an offence in many cases breaks up a home more than, for example, a single act of adultery; and, in fact, if the subject could be investigated, it is only reasonable to suppose that adultery generally will be committed by the deserting party. In the case of the poorer classes, the circumstances following desertion are often particularly pitiful—a woman may be left with no means of support for herself and family, or a man may be left with no one to look after his home and his children. If divorce were allowed as suggested, re-marriage and possibly happiness would be a possibility. It was recommended by the British Commission that the period should be 3 years; but 2 years has been found to be a just period in cases of separation, and in view of modern means of rapid travel and communication, and of the possibility of distress already referred to, there would appear to be no satisfactory reason for not adopting the 2 year period. This is the period recommended by the American Report.

Cruelty is another of those grounds which in fact put an end to the married life, and should be recognised by law as doing so. "Cruelty is such conduct by one married person to the other party to the marriage as makes it unsafe having regard to risk of life and limb or health, bodily or mental, for the latter to continue to live with the former." (British Commission of 1912.) It should include the communication of venereal disease knowingly or negligently, and also cases where husbands compel their wives to become prostitutes for their husband's maintenance. This course in regard to venereal disease practically has been adopted by the Senate of Canada, as already noted in connection with proof of adultery.

Insanity pronounced as incurable by competent medical authority, should also be recognised as a ground for divorce. This disease differs from most others in that the person suffering