

band or wife for adultery, cruelty or desertion without cause for a period of time of two years or more. The decree for separation may be reversed if obtained for desertion when proved that there were reasonable grounds for that desertion.

Court may direct alimony to wife or her trustee.

In case of judicial separation wife to be considered as feme sole with respect to property she may acquire from date of sentence.

Sec. 12, 16. Dissolution of marriage with right to remarry granted to a man for wife's adultery, but a woman must petition on the ground of incestuous adultery, or bigamy with adultery, or rape, or sodomy, or bestiality, or of adultery coupled with such cruelty without adultery which would have entitled her to a mensa et thoro or of adultery coupled with desertion for two years or upwards without reasonable excuse. The petition is granted on proof that the adultery has not been condoned, that the petitioner is innocent of adultery and has in no way been accessory to or connived at the adultery, or that the petition is presented or prosecuted in collusion with either of the respondents.

Sec. 29. Court may order settlement of property for benefit of innocent party and children of marriage.

Sec. 39. Either party dissatisfied with any decision of the court in any matter which may be made by the judge ordinary alone, may, within three calendar months from decision, appeal therefrom to the full court, whose decision shall be final.

When no appeal has been presented within the time limit then the parties may marry again as if the marriage had been dissolved by death.

No clergyman compelled to solemnize marriage of a divorced person.

Costs as ordered by court as may seem just.

A husband separated from his wife on account of intemperance, and making no provision for her maintenance, thereby leaving her without any means of support, is not entitled to a divorce on ground of adultery committed by her after the separation.

Forest and Forest, 8, B. C. R. 19.

