

for relief in matrimonial cases, has been the High Court of Parliament of Canada, where relief is granted not judicially, but legislatively.

In the case of *Lawless v. Chamberlain*, 18 Ont. 296, the High Court of Ontario declared a marriage which had been procured by duress to be null and void, and the jurisdiction so to do was ascribed to the inherent jurisdiction of the Court of Chancery in all cases of fraud, and in answer to the objection that that jurisdiction must be measured by that of the English Chancery in 1837, it was said that though that Court did not then exercise jurisdiction in matrimonial cases, it had formerly exercised it during the Protectorate, when the Courts Christian were abolished in England: 2 Showers R. 283 (Case 269), and the jurisdiction though not actually exercised in 1837, was said to be merely in abeyance.

But this view of the question does not appear to have commended itself to other judges who have had occasion to consider the matter: see *A. v. B.*, 23 O.L.R. 261; *T. v. B.* (1907), 15 O.L.R. 224; *May v. May*, 22 O.L.R. 559; and has not found favour in the United States where similar conditions prevail: see Bishop Mar. and Div. vol. 2, s. 657. And it seems to be deserving of very serious consideration whether some of the provisions of the Provincial Statutes, 1 Geo. V. c. 32, Ont., are not beyond the competence of the Provincial Legislature. Having regard to the history of the Marriage Law, and the provisions of the B.N.A. Act, it does not appear possible that any Provincial Legislature can validly give to any Provincial Court any matrimonial jurisdiction whatever.

If the High Court in Ontario has not any matrimonial