

public purposes to the exclusion of his subjects, but a payment for the benefit of the general body of the taxpayers at the expense of those who were creditors of the insolvent company. The argument, therefore, proceeded in an artificial atmosphere, bearing little if any relation to the actual circumstances.' The prerogatives of the Crown have, in the words of Professor Dicey, become 'the privileges of the people.' They have been transferred in practice from the Sovereign to the Cabinet by whose advice the Sovereign exercises them in accordance with the wants and wishes of the people."

LAW OF DIVORCE IN CANADA.

By C. S. McKEE, of the Toronto Bar.

(Continued from May issue).

A few people are opposed, so far as their own use is concerned, to the principle of divorce on any grounds. The unreasonableness of their opposition to the availability of divorce to those sharing other views was well pointed out before the British Commission in 1912, by Rev. W. P. Paterson, Professor of Divinity at Edinburgh University, who said that while the ideal of divorce only for adultery, which Christ set up is binding upon members of His Kingdom, it ought not to be imposed by force upon a mixed society, including many who are non-Christian, or only nominally Christians, and that the duty of the State in relation to dissolution of marriage is not to make the Christian ideal compulsory, but to make provision for the relief of those who suffer injustice in marriage, and so far as this shall be compatible with the general interests of society. Others in Canada are willing to recognise divorce on the grounds already adopted; but, whenever new grounds are advocated, a storm of protest is raised, generally on the theory that to admit other grounds is going to make divorce too easy to obtain, and thereby ruin the morality of the country. The utter absurdity of such a doctrine should be apparent to any one who will but reflect that there are several grounds in addition to those already adopted which in fact put an end to married life—not merely to happy married life, but to any married life at all—while in law as distinct from fact, the married life is regarded as continuing. There are cases in which the state, having regard to the requirements and practical circumstances of life and