

- Dissolution of Marriage to be granted by three Judges.** VI. All petitions, either for the dissolution or for a sentence of nullity of marriage, and applications for new trials of questions or issues before a Jury, shall be heard and determined by three or more Judges of the said Court, of whom the Judge Ordinary shall be one.
- In case of absence of Judge Ordinary.** VII. During the temporary absence of the Judge Ordinary, the Chief Justice of the Queen's Bench may, by writing under his hand, authorise the Chancellor, or the Chief Justice of the Court of Common Pleas, or any Vice-Chancellor, or any Judge of the Superior Courts of Law, to act as Judge Ordinary of the said Court for Divorce and Matrimonial Causes, and the Judge then so acting shall have and exercise all the jurisdiction, power, and authority which might have been exercised by the Judge Ordinary.
- Court to sit at Toronto.** VIII. The Court for Divorce and Matrimonial Causes shall hold its sittings at such place or places in Toronto, or York, or elsewhere, as the Governor General in Council shall from time to time appoint.
- Seal of the Court.** IX. The Chief Justice of the Court of Queen's Bench shall direct a seal to be made for the said Court, and may direct the same to be broken, altered, and renewed, at his discretion; and all decrees and orders, or copies of decrees or orders, of the said Court, sealed with the said seal, shall be received in evidence.
- Duty of Registrar of the Surrogate Court.** X. The Clerk of Assize for the United Counties of York and Peel shall attend the sittings of the Court for Divorce and Matrimonial Causes, and assist in the proceedings thereof, as shall be directed by the Rules and Orders under this Act.
- Who may practise in said Court.** XI. All persons admitted to practise as Barristers, Attornies, and Solicitors entitled to practise in the Superior Courts at Osgoode Hall, shall be entitled to practise in the Court of Divorce and Matrimonial Causes; And such Advocates and Barristers shall have the same relative rank and precedence which they now have and enjoy.
- On what grounds sentence of Judicial Separation may be obtained.** XII. A sentence of judicial separation may be obtained, either by the husband or the wife, on the ground of adultery, or cruelty, or desertion without cause for two years and upwards.
- How application for restitution of conjugal rights or judicial separation shall be made.** XIII. Application for Restitution of Conjugal Rights, or for Judicial Separation, on any one of the grounds aforesaid, may be made by either husband or wife, by petition to the Court, or to any Judge of Assize at the Assizes held for the County in which the husband and wife reside or last resided together, and which Judge of Assize is hereby authorised and required to hear and determine such petition, according to the rules and regulations which shall be made under the authority of this Act; and the Court or Judge to which such petition is addressed, on being satisfied of the truth of the allegations therein contained, and that there is no legal ground why the same should not be granted, may decree such Restitution of Conjugal Rights, or Judicial Separation accordingly; and where the application is by the wife, may make an order for alimony, which shall be deemed just; Provided always, that any Judge of Assize to whom such petition shall be presented may refer the same to any of Her Majesty's Counsel, learned in the law, named in the Commission of Assize or Nisi Prius, and such Counsel shall, for
- Proviso**