

in the House of Lords where divorces were usually disposed of by only the law lords, provided that the Lieutenant-Governor and five of his Council should constitute a Court for the disposal of divorce applications, and provided that the Governor would depute the Chief Justice of the Supreme Court to act in his place. No provision was made for appeal. Only one divorce has been granted—in 1913. The law of the Province remains as it was in 1836.

The Revised Statutes of Nova Scotia 3rd. Series (1864), ch. 126, established a Court of Marriage and Divorce consisting of the President, Vice President, and members of the Executive Council of the colony, and provided that the Vice-President and any two Councillors were sufficient to constitute the Court. By 1866, (N.S.), ch. 13 the style was changed to the Court for Divorce and Matrimonial Causes, the then Vice President to compose the Court and be called Judge in Ordinary. Any party dissatisfied as to findings of law or fact can within 14 days appeal to the Supreme Court of Nova Scotia, the appeal to be heard by three Judges of that Court and the Judge in Ordinary. This jurisdiction is now contained in R.S.N.S., (1900), vol. 2, p. 862.

1791, (N.B.), ch. 5, established a similar Court in New Brunswick: all controversies in regard to marriage and divorce were to be determined by the Governor and Council, and the Governor and any 5 or more of the Council were constituted a Court. In 1834, ch. 30 the Council was divided into legislative and executive sections, and the Court made to consist of the Governor, Executive Council, and any Justices of the Supreme Court or Master of the Rolls. In 1860, (N.B.), ch. 37 enacted that all divorce jurisdiction was vested in the Court of Divorce and Matrimonial Causes, one Justice of the Supreme Court being commissioned the Justice of the Court. This jurisdiction is now contained in C.S.N.B. (1903), ch. 115 and 1917, (N.B.), ch. 45.

The establishment in British Columbia of a Divorce Court came about in a different manner. An ordinance passed March 6, 1867, by the Legislature of B.C. enacted that the laws of England as they existed on November 19, 1858, and so far as circumstances permitted should be in force save so far as they had been modified by legislation between 1853-67. Under this, jurisdiction to exercise the relief and powers given under the English Divorce Act (1857 (Imp.), ch. 85) has been assumed by