

EXPLANATORY NOTE.

There are at present courts for divorce and matrimonial causes in all the provinces except Quebec and Newfoundland. In these provinces, a plaintiff can obtain dissolution of marriage only by a private Act of the Federal Parliament. As the number of divorce cases has considerably increased in the last ten years, this procedure for that and various other reasons is becoming more and more objectionable. The purpose of this Bill is therefore to provide that the Exchequer Court of Canada will in future have jurisdiction in divorce in the case of actions originating from Quebec and Newfoundland. The jurisdiction as to alimony, care of the children and other matrimonial causes will remain in the provincial courts of those two provinces.

This Bill does not change the grounds for divorce. It does not establish divorce courts in Quebec or Newfoundland. It does not make available to persons residing in Quebec or Newfoundland anything not now available to them. It merely transfers the hearing of divorce petitions, in the case of persons residing in these two provinces, from Parliament to the Exchequer Court of Canada and it provides further that the said Court shall hear such divorce cases only at Ottawa.