

is within the powers of the Dominion Government to enact that all jurisdiction as at present exercised over the question of divorce shall cease, that in the future such jurisdiction shall be exercised by such authority as the Dominion sees fit to enact, and that the grounds for divorce and annulment and the consequences of a decree shall be as enacted by the Dominion. Questions of procedure must be left to the Provincial Governments or to the rules made by the Judges under the authority of Provincial Acts.

What Courts should exercise this jurisdiction? Mr. Holmsted, in *Marriage Laws of Canada* (1912), recommends a Dominion Court which would sit once a year in each Province, with an appeal to the Supreme Court of Canada. The objections to this are the delay, the probability that it would sit at but one place in the Province, the necessity of filing papers at the Court's headquarters in Ottawa, and the great variation from the present situation in Province with Courts with jurisdiction. The principle advantage would be the continuity in the interpretation of the law, an advantage which rather reflects on the ability of the Judges in the Provinces to give a just and correct interpretation of the law. Mr. Nickle's recent bill proposed to give jurisdiction to the existing and special Provincial Courts and to the Exchequer Court of Canada, the latter provision being suggested because many of the Judges in Quebec are Roman Catholics and are therefore supposed to object to divorce on any grounds, a suggestion which points to one of the obvious weaknesses in the position taken by the Roman Catholic Church—namely that its teachings on the subject are not observed by many of its own adherents. It would seem to be a matter which might easily be left to arrangements on the part of the Judges themselves—i.e., that only Protestants should try divorce cases. Also, it might be observed that Judges are on the bench not to administer such law as meets with their personal approval, but all law. In the United States, the divorce jurisdiction in some States is exercised by the Supreme Court of the State and in others by the District Courts. In England all cases have to be tried before the Divorce Court sitting at London; but the Commission of 1912 recommended that the jurisdiction be transferred to County Courts. The question of divorce is one which goes right to the root of society and one which therefore warrants the attention of the best Judges in each Province. It is also desirable to introduce as little complication as possible into all legal matters and to vary from that to which the people have