

7. A decree for a judicial separation which shall have the effect of a divorce *a mensâ et thoro* under the law heretofore existing in England, and such other legal effect as herein mentioned, may be obtained either by the husband or wife on the ground of adultery, or of cruelty, or of desertion without cause for a period of two years. Decree may be obtained by husband or wife for adultery, &c. 1867, No. 94, sec. 7
8. Application for restitution of conjugal rights or for judicial separation on any of the grounds aforesaid may be made by either husband or wife by petition to the Supreme Court; and the said Court, 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 any order for alimony which shall be deemed just. Application for restitution of conjugal rights to be by petition. Ibid, sec. 8
9. From and after the passing of this Act a decree for restitution of conjugal rights shall not be enforced by attachment, but, where the application is by the wife, the Court may, at the time of making such decree, or at any time afterwards, order that, in the event of such decree not being complied with within any time in that behalf limited by the Court, the respondent shall make to the petitioner such periodical payments as may be just; and such order may be enforced in the same manner as an order for alimony in a suit for judicial separation. The Court may, if it shall think fit, order that the husband shall, to the satisfaction of the Court, secure to the wife such periodical payments, and for that purpose may refer it to the Registrar to settle and approve of a proper deed or instrument to be executed by all necessary parties. Periodical payments in lieu of attachment. 1898, No. 42, sec. 1
10. Where the application for restitution of conjugal rights is by the husband, if it shall be made to appear to the Court that the wife is entitled to any property, either in possession or reversion, and whether subject to restraint on anticipation or not, or is in receipt of any profits of trade or earnings, the Court may, if it shall think fit, order a settlement to be made to the satisfaction of the Court of such property or any part thereof for the benefit of the petitioner and of the children of the marriage, or any of them, or may order such part as the Court may think reasonable of such profits of trade or earnings to be periodically paid by the respondent to the petitioner for his own benefit, or to the petitioner or any other person for the benefit of the children of the marriage, or any of them. Settlement of wife's property. Ibid, sec. 16
11. (1.) If the respondent shall fail to comply with a decree of the Court for restitution of conjugal rights, such respondent shall thereupon be deemed to have been guilty of desertion without reasonable cause, and a suit for dissolution of marriage or for judicial separation may be forthwith instituted, and a decree *nisi* for the dissolution of the marriage, or a decree of judicial separation, may be pronounced on the ground of desertion, although the period hereinafter fixed in the case of desertion may not have elapsed since the failure to comply with the decree for restitution of conjugal rights. Non-compliance with decree deemed desertion. Ibid, sec. 17
- (2.) Such decree *nisi*, if of judicial separation, shall not be made absolute until after the expiration of six calendar months from the pronouncing thereof, unless the Court shall fix a shorter time, and, if for the dissolution of the marriage, shall be subject to the provisions relating thereto hereinafter contained.