

at times been attached to it in this House. In all civilized countries, I believe, the law of divorce is recognized. In respect to this divorce law Canada is unique among the civilized countries of the world. There is no judicial law of divorce in this country. There are divorce courts in several of the provinces, as the hon. gentleman who has just taken his seat has so well explained. The proposition, therefore, is a broad one, and in my opinion ought not to be dismissed from serious consideration because of the fact that heretofore the hon. gentlemen who have brought it before the House have not succeeded in interesting the House in it sufficiently to make any progress with it. The hon. gentleman who last brought this subject up in the House is now a distinguished judge. I refer to Mr. Justice Britton, who when he represented Kingston in this House, brought this matter before and excited a more exhaustive discussion than my hon. friend's motion has brought forth. The result, however, was nil, and certainly in view of the position which the right hon. the Prime Minister has taken, the present motion is not likely to be any more successful. But I go with the hon. gentleman who last addressed the House (Hon. Mr. Ross). I think with him that even if the leader of the government takes, on a matter of this kind a contrary view to that entertained by many other members of this House, that is no reason why those who are in favour of the motion should not be at perfect liberty to support it without impairing their political allegiance in any way. I am a strong Conservative, generally classed as a Tory, and I believe that although party government is the best for the well being of the country, still, unless there is a question of government involved, we should, on each side of the House, be free lances and freely express and assert ourselves on all questions beyond the pale of party discipline. This will stamp our legislation as being of a higher standard, and show the people that we are not mere automata to be freely moved at the will of the leaders on either side. The question before the House is a very broad one, to be considered from all points of view, and I must say that from what I have heard of divorce, and in view of the fact that all free civilized countries acknowledge that under certain circumstances divorce is justifiable, I am in favour of the motion before the House. I do not of course expect every one to entertain the same view, but one of the great lessons taught by free institutions, especially in a country governed by British institutions, is that we can differ in our religious faith and recognize that the views of those who differ from us are entitled to every respect, and that while we may differ in opinions, we agree that the majority must prevail and we can be very good natured and sensible over it. I am one of those who believe that divorce is a necessity, but at the same time I have been brought up in the old school which teaches

that we ought to have as little of it as possible. One of the strong objections to any change in our divorce laws is the fear entertained by the ordinary domestic people of the country that any change may lead us to fall into the other extreme of the too great freedom of divorce which prevails in the great republic to the south of us. I think myself that that feeling is merely a prejudice, but the strongest argument that could be presented against any change is that which was made by the right hon. the Prime Minister. He claimed that there was no great call for it. I agree, however with the hon. member who has just taken his seat that the fact that there are no petitions calling for this change is not a good reason for not granting it. I am not so much of a believer in petitions as I was in my younger days, because my experience has taught me that many of those petitions are the result of the agitation of some individuals, who want to make us believe that there is a great cry in the country, when in reality there is not. I am of the opinion—and I think most hon. members will agree with me—that according to the capacity which God or nature has given us we are responsible for our actions and judgments, and I am not disposed to give any heed to petitions except when there is something in them which appeals to my judgment or when they spring from something which I believe calls for action on my part. Is the right hon. the Prime Minister well founded in his statement that there is no desire in this country for a change in our divorce law? I think he is only right to the extent of the dread to which I refer on the part of many people that a change would bring about too much freedom of divorce, but I submit that this parliament of Canada ought to be responsible to the public for a definition of the causes or reasons for which divorce should be granted, and I understand that my hon. friend's resolution is based upon that principle. This House ought to define these causes and be careful not to make them too extensive. I am one of those who believe that the trying of divorce cases should be relegated to a judicial tribunal. A judicial tribunal could better take the evidence and in every way be more desirable and more competent than any committee of this parliament, and that is a strong answer, to the plea of the right hon. the First Minister that there is no call for any change. If we can devise a simpler, a better and cheaper tribunal than the one we now have, both Reformers and Conservatives must agree that it would be wise for us to do so. This question has been brought before the House within my memory several times. Long before I had the honour of being in parliament, it was introduced. It has been stated that the principal reason against the establishment of a divorce court is a religious one. Well, there is no one who respects the religious convictions of others