

if he had told me why he had shot his wife. I refused to answer, on the ground that any conversation I had with him was as a medical man. The judge said, "you are wrong; a medical man is bound to relate all he knows, and more than that, a priest or clergyman is obliged to relate what is told him, even in the confessional." Whatever the law may be, I knew that common sense was against it, and I was not afraid at all of being compelled; but I asked the judge on that occasion, and I ask the hon. member from Barrie, why, if a lawyer cannot be made to tell what his client has said to him, the same privilege is not extended to clergymen and doctors? I trust that the hon. gentleman will give them the same privilege that the law now grants to the lawyer.

HON. MR. SCOTT—I do not concur altogether in the view of the hon. gentleman who has just taken his seat. The hon. member who introduced this Bill does not speak as an advocate or counsel, but from a much higher standpoint—as a judge who has been for 40 years entrusted with the administration of the laws. During a long and very active life, in which he has acquired a very valuable training for making the laws of the country, he has discovered that there are certain defects in the laws, which should be remedied. No one supposes that our laws are perfect, even when they are consolidated. The laws of the country are perpetually changing, as experience dictates, from time to time, and it is really only from experience that one can judge what is best to be adopted. I feel that it is not wise to depart from the maxim *festina lente*, particularly in laws of this kind, but, no doubt, experience is the most valuable educator in furnishing improvements, more particularly in the criminal laws. The suggestion made by the hon. member from Lunenburg, is, I think, the correct one—that is, that no conviction should be complete on the evidence of the wife alone. It should be supported by corroborative testimony. It is the invariable practice of judges to hear the statement of the husband in such cases. He does not make it under oath, but he is allowed to make it to the court. He is always catechised as to why he has failed to support his wife or child, and the case is not exactly as my hon. friend

from Amherst has put it, because it is not a complaint of the wife alone, but it is the wife and child, or children. Those children may be of such tender years that they cannot be examined, and I am disposed to believe that there are not many cases in which the wife complains against the husband where there are no children. As far as my own observation goes, when women who have no children to support are abandoned by their husbands, or their husbands refuse to support them, they generally rely upon their own exertions, and are able to support themselves; but when there are minor children, perhaps it becomes an unfair tax on the wife, and she naturally appeals to the laws of the country to enforce the obligations which her husband assumed to support his family. I think, therefore, the suggestion of my hon. friend is a very proper one, that no prosecution should be permitted under this Bill on the unsupported testimony of the wife, but that her evidence should receive such substantial corroborative evidence as the courts may think necessary. With those words added I think the danger would be averted, and this very useful provision, removing the question of doubt as to whether the wife is a competent witness, might become law. There is no one so well fitted as the wife to explain to the court and jury, if necessary, what the neglect complained of has been. Very often no neighbor is cognizant of the facts. Take the case of a family who live isolated from neighbors. How can they know whether the husband turns his wife out of doors or fails to provide her with food? In such cases it is extremely difficult to procure a conviction. A father may be guilty of acts of tyranny which should subject him to punishment, but unless there are grown up children there are no witnesses. Where they are of tender years, say under eight or nine, they are not eligible as witnesses, and therefore this sort of treatment may go on for years, and be utterly incapable of proof unless the evidence of the wife is admitted. We know the tendency of all judicial minds, and in fact of every fair mind, is to heal up domestic difficulties. It is not desirable that a wife should have resort to an action of this kind, and it is the experience of courts that it is infinitely better in such cases to postpone the hearing. I