

That this bill be not now read a third time but that it be referred to the Committee of the Whole with instruction that they have power to amend the same by adding thereto the following two sections:

(1) In any case where a divorce is granted by an Act of parliament or by the decision of any court in Canada or elsewhere, no person found guilty of adultery and divorced shall have during the life of the other spouse, the right to marry again any other person, and any divorced person so found guilty of adultery upon marrying again may be proceeded against and adjudged guilty of bigamy and be subject to the penalties for such crime made and provided as fully and completely as if such divorce had not been granted.

(2) Every order or judgment and every act of parliament granting a divorce on the ground of adultery shall contain an express declaration that the guilty party shall not be permitted to marry again except as above provided.

The parliament of Canada is supreme, and if it should pass any act which is ultra vires, the courts would decide the validity of such act. It is not for the Speaker to declare—although he presides over the highest court in the land—as to whether any proposed legislation is ultra vires, and therefore I do not see that the point is well taken in the present instance. Every day we take upon ourselves to declare as illegal in Canada what may be perfectly legal in other countries. For example, by the Immigration Act, parliament may declare that no bolshevik will be permitted to enter the Dominion, and that if he does cross the boundary he shall be arrested and deported, although such a person would not be considered a criminal in Russia, for instance. That is our privilege and our right, and I do not think that such legislation would be considered ultra vires. At all events, as the right hon. leader of the opposition (Mr. Meighen) said a moment ago, this is a question of law, and I do not see that there is any point of order in the objection raised by the hon. member for Comox-Alberni (Mr. Neill). Such is my ruling.

Mr. FRANK S. CAHILL (Pontiac): Mr. Speaker, I do not wish to debate the merits of the bill or of the amendment, but when the resolution preceding the bill was before the House some weeks ago and my hon. friend from Bellechasse (Mr. Fournier) was speaking on it, the question was raised by some hon. member opposite that he should oppose all divorces in this House, and that friends of his of the same belief should do likewise. I merely rise, Mr. Speaker, to give notice that if this parliament should extend to another session, or if I should be again returned to this House after the next election, I intend to oppose any further divorces in this House as strenuously as possible; which would mean, Mr. Speaker, that you and the committee on Rules would be busy from time to time devising rules that

would permit of divorce bills passing this House. As it is now, these bills must be passed between eight and nine o'clock, and it is quite easy for two or three members of the House to oppose their passage during that hour. If the present rule relating to private bills continues, of course no divorce bill could pass this House when opposed by three or four members of either side. I think the time has come when divorces ought to be dealt with by the courts, if they are to be dealt with at all, not by this House. That is the reason I am giving notice now, Mr. Speaker, of my intention next session.

Mr. SPEAKER: I would remind hon. gentlemen that it is not quite proper to promise, especially in advance, that there will be any obstruction.

Mr. CAHILL: I am only saying, Sir, that it will exhaust your ingenuity to find means of stopping four or five determined men on either side of this House from obstructing any legislation of that kind that may be proposed.

Mr. BOYS: Would the hon. member support in this House a bill creating divorce courts in Ontario and Prince Edward Island, the only provinces, outside of Quebec, in which we have no divorce courts at the present time?

Mr. CAHILL: I would not aid in the establishment of a divorce court in any province. I would not aid in the establishment of a divorce court of any kind anywhere.

Mr. BOYS: I thought my hon. friend said that he felt divorce was a matter which should be dealt with by the courts?

Mr. GRAHAM: If it was dealt with at all.

Mr. BOYS: How can Ontario deal with divorces if there is no divorce court in that province?

Mr. CAHILL: So much the better for Ontario if there is no divorce law in that province and divorce is not permitted in this House. Personally, I do not support divorce in any fashion in any province in this Dominion. As I said before, I am rising only to make the declaration that if I am in this House at the next session of parliament I intend to oppose divorce. I propose to oppose it from now onwards just as the hon. member for Bellechasse (Mr. Fournier) and other hon. members.

Mr. WOODSWORTH: Would the hon. member assist in securing an amendment to