

*Divorce*

will vote for the amendment because it tends to reduce the number of divorces, but I shall certainly vote against the third reading of the bill if I am given an opportunity.

Mr. T. W. CALDWELL (Victoria and Carleton): I had no intention of taking part in this debate until we found ourselves in the position in which we are in at the present time. For instance, when the House rose shortly after six o'clock I understood unanimous consent had been given that the hon. member for West York should move his amendment to the bill in the House itself, and that it should not be referred back to committee. With that understanding I meant to support the amendment. If, however, the effect of your ruling, Mr. Speaker, is that this bill must be referred back to committee I must vote against the amendment although I should like to vote for it. If by voting for the amendment the bill is to be referred back to committee it means that it will not receive the consideration of this House, and this unequal situation as between a man and a woman, in the western provinces especially will still continue. For that reason I do not feel like giving a silent vote on this question. I would support the amendment if the bill is to be considered by the House itself; but if the effect of the amendment is to kill the bill I shall vote against it.

Mr. H. A. FORTIER (Labelle) (Translation): Mr. Speaker, I have already on many occasions expressed my views, in the House, on matters of divorce. I am opposed to divorce because, among many reasons, it is but the toleration of evil which we must avoid as much as possible. I have always protested, to the best of my ability, against all legislation bearing on divorce. When the hon. member for West Calgary (Mr. Shaw) moved, this afternoon, the third reading of his bill in connection with divorce, the hon. member for Lotbiniere (Mr. Vien) moved an amendment which was acclaimed by all members of this House who adhere to the Roman Catholic faith. This amendment laid down the principle that the matrimonial bond is never dissolved. Its purport was to make this bill conform with the law as it exists in the province of Quebec, by virtue of which the consorts, in a case of adultery, may separate without ever destroying the matrimonial tie or it ever being possible to destroy it. This amendment, I state, I gladly supported, and I am sorry that it was not adopted by the House.

The amendment moved by the hon. member for West York (Sir Henry Drayton) has [Mr. Marcil.]

not the same bearing as the one moved by the hon. member for Lotbiniere. In fact, it is proposed, by this amendment, after divorce being granted, that one of the parties—the party having committed adultery—will not be allowed to remarry; however, it is not stated that the other party will not have the right of remarrying. Could we then consider that the matrimonial bond is dissolved? It will be considered that it has not been dissolved for one of the parties: the one having committed adultery; however, in regard to the other, the amendment does not state that the party will not be allowed to remarry. In fact, as the latter is not forbidden to remarry, I gather that the same conditions will prevail as in the past, and it will therefore have this privilege. To this I cannot acquiesce and I, therefore, rise to protest against the principle that parliament might look upon favourably on legislation by virtue of which the matrimonial bond would be dissolved by divorce. The reasons given by the hon. Minister of Justice (Mr. Lapointe) and the hon. member for Bonaventure (Mr. Marcil) harmonize with my views. By placing myself on record as being opposed to all legislation based on the principle of the severance of the matrimonial bond, I think I can support the amendment, because it proposes to refer this legislation to a committee for further consideration, and thereby, I hope that it will not be possible to adopt such legislation in the course of the present session, and further, because by this amendment the number of divorces will be considerably restricted. For all the above reasons I shall vote in favour of the amendment, however reserving myself the right of voting against the principle of the bill, on the third reading.

In the course of this debate uncalled for remarks have been made against us. We, members of the Roman Catholic faith, are reproached for not protesting both by word and action when a bill of divorce is brought down in the House. The opposition of the Roman Catholic members of this House has generally always been understood, ever since I have the honour of occupying a seat here, and it is not to my knowledge that a Roman Catholic member has ever acquiesced in the principle of divorce. We have always been opposed, and such bills are passed with the restriction "on division".

Mr. J. L. STANSELL (East Elgin): Mr. Speaker, there is a good deal in this amendment that enlists my sympathy, but I think it involves too many issues to be decided in a hasty manner. There is no question that divorces are altogether too numerous in this