

she was dissatisfied, on finding that her husband's prospects were not as good as she supposed them to be, and I believe she has been the means of driving him out of the country. From her evidence it is clear that she endeavored by every means in her power to keep him aloof from her. The evidence is brief, and every member of the House must have read it. It shows that the young man was willing at all times to take his wife to his home when her mother would be reconciled to the marriage. He seemed to hope, as long as he was there, that a reconciliation would be effected.

HON. MR. SANFORD—That is not in the evidence.

HON. MR. KAULBACH—We have evidence to show that he was in hopes that her mother would become reconciled to the marriage. She is asked by me :

“Q. Did he ever speak of your relations as husband and wife?—A. Yes.

“Q. In what way?—A. Nothing particular. He said as soon as my mother was aware of it she would be agreeable.”

Again, she is asked :

“Q. Did you see him after the marriage ceremony?—A. He did not come in ; he went home.

“Q. Was that according to any agreement between you?—A. Well, of course I knew my mother had almost forbidden him the house. It was about our tea time, and I knew perfectly well I could not invite him to tea.

“Q. You did not see him afterwards?—A. He came up that evening.

“Q. And other evenings?—A. Yes ; he kept coming up occasionally until he went away.”

In view of this evidence she does not appear as an injured person : in fact, the young man has been the injured person, and we cannot afford her even any charity at all, because I believe it would be setting a bad example. She has not shown that she has been injured in any way ; she simply complains that she found that her husband was not as well off pecuniarily as she expected, and on that ground she endeavors to evade the consequence of her marriage. A brief, skillfully prepared by her Counsel, has been put into our hands, in which it is stated that there are precedents for this application. I contended in the committee, and I contend now, that there are no such precedents. In the brief it is said that an Act precisely similar to this was passed by Parliament. Well, that is not true. I was chairman of the Divorce Committee when the case was

investigated, and I have looked into all the facts connected with it. That was in 1887. The Lavell case was this : one of the parties to the first marriage was over age, the other under age. They were married under assumed names. The parents knew that they were engaged, but did not know of the marriage, and there was no consummation of the marriage. Lavell was a young doctor, who was without means to maintain a wife. He evidently liked this girl and wished to secure her. That appeared to be his motive, and evidently she was holding on to him, believing, probably, that it was not quite a marriage, until she got some person that she liked better. Another person named Fralick appeared, and she engaged herself to him. When Lavall heard of it he told her that she was married to him, and could not marry Fralick, and he told the same thing to Fralick. She showed an opinion from no less a person than Sir Alexander Campbell, which was supposed to be genuine at the time but was, I think, subsequently proved to be false, saying that the first marriage was a nullity. The young man believed that at the time, but found that he was mistaken. Fralick told Lavell to go and say to the young lady that he would give her up, and that he was going to the States, but instead of leaving the country he rushed up to where she resided and got married at two or three o'clock in the morning, and when Lavell appeared on the scene she was a married woman. The sympathy of the committee was strongly with the young woman, the impression prevailing that she supposed she was not married to Lavell. The Bill charged her with bigamy and adultery, and contained that charge when reported by the committee to the Senate. There was a general feeling in the House to avoid, if possible, having her family suffer from the imputation that she was guilty of the offences charged against her, and the Bill was amended by striking out the words “bigamy and adultery,” but the words remained, that since the first marriage she lived and cohabited with a third person.

HON. MR. McMILLEN—It was a case of pure desertion.

HON. MR. KAULBACH—I am quite sure that I have stated the case correctly. The words that I have quoted were struck out,