

night is the first time I have heard this Bill discussed. We must not forget that we have in our hands the future of these two parties. I have always considered a divorce case one of the most serious matters that can be placed before a committee of this House. When these cases come to the House itself the committee is usually pretty unanimous, and we accept their finding. Only on two or three occasions has there been an exception to this in my time in this House, and I have been here several years. I make it a point to destroy all evidence in divorce cases, as soon as I see what it is, and never read it unless the case is celebrated, and there is a division of opinion in committee. In such a case I have always felt it my duty to scan the evidence to see what attitude I ought to take in the House, because then a great responsibility comes to every one of us. We are asked in this House solemnly to vote to-night to sever the marriage tie between two people who have three children, and we have not seen the evidence—

An hon. MEMBER: Two children.

Mr. GRAHAM:—much less have we had the opportunity of seeing the witnesses. The committee has accepted the evidence taken two years ago, as far as it goes, and I do not care anything about the technicalities, so far as my vote is concerned, as to whether this evidence was properly before that committee or not. This evidence has not been before this House, and I will not accept the responsibility of voting to sever the marriage tie between these two people, where such a divergence of opinion exists between the members who have read the evidence and considered the case, until I know what is in the evidence, because I feel that I have a responsibility which I cannot shirk. I am going to vote for the motion to refer this back to the committee, and when this Bill comes up again, unless the members of the House have been supplied with the evidence, I will vote against the third reading of the Bill. I will take no person's word in this case, after what I have heard. I desire to ask a question, and perhaps it may assume the proportions of a point of order: Can the Private Bills Committee ask this House to pass upon a question, when the rule which provides, for giving us the evidence is violated? I do not know that I will put it as a point of order; but I believe that it is not fair to the members and the Private Bills Committee have no right, no matter what the Senate Committee did,

[Mr. Graham.]

to ask us to vote either yea or nay on this question unless we are provided with the evidence on which we can base an opinion.

Mr. WILLIAM THOBURN (North Lanark): For the information of the member for South Renfrew (Mr. Graham), I may say that the reason given by the Senate Committee for not having the evidence published—it is, perhaps, the first time in the history of that committee that the evidence in a case of this kind has not been published—was that they thought that the evidence was of such a nature that it should not be sent broadcast over this Dominion. The evidence is now being printed, and it is expected that it will be in the boxes of all members of the House to-morrow morning.

Mr. GRAHAM: After we have been asked for the third reading of the Bill.

Some hon. MEMBERS: Question.

Mr. THOBURN: Under the circumstances could not the matter stand without its being referred back to the committee?

Some hon. MEMBERS: Question.

Mr. HUGH GUTHRIE (South Wellington): I was in attendance at the Private Bills Committee when this Bill first came before it, and I was one of those who took objection to the committee's proceeding further with the consideration of the matter, on the ground that no copy of the evidence had been furnished to any member of the committee at that time. A stenographic copy of the evidence lay on the chairman's table, and we were told that we might have the privilege of perusing it if we saw fit. I was supported in my objection by a number of members of the committee, and it was ordered that the Senate be requested to print and distribute the evidence in the usual way. I received a copy of the evidence in due course, and I was under the impression until this evening that every member of the House had received a copy of the evidence in accordance with the rule. I stated in the committee that I did not think any one could intelligently pass upon the question who had not access to the evidence. I am rather surprised to-night to find that members have not been so supplied. When I received the evidence I read it carefully and I founded my conclusions upon it. I voted in the committee in favour of the granting of this divorce, but I should not have voted at all had I not had access to the evidence. I think that the member for South Renfrew (Mr. Graham) has put the case fairly; before the Bill proceeds,