

continue married, distinct domiciles. If it were otherwise proceedings for dissolving the status of marriage might be carried through in two jurisdictions, possibly with different results.

Lord Merrivale in the conclusion of that judgment says:

Under British law one of the effects of marriage is to give to the spouses a common domicile,—the domicile of the husband. Within the jurisdiction thereby arising, and by the marriage laws to which the spouses are there subject, the claims of either of them to a decree of dissolution of marriage ought to be determined. In so far as British tribunals are concerned it is a requisite of the jurisdiction to dissolve marriage that the defendant in the suit shall be domiciled within the jurisdiction.

In the bill introduced by my hon. friend the defendant would be sued in a place other than his domicile. Lord Merrivale continues:

In such cases actor sequitur forum rei. This is the true effect upon the present proceedings of the rule laid down in the *Le Mesurier vs. Le Mesurier*, supra.

There is no doubt, and I think every hon. member will agree with me, that this would be a departure from British principles of law. Why should we do this even if we are trying not only to facilitate divorce but even to offer divorce to those who want it? My hon. friend said: We must have equality of sexes. Equality is a pleasant word and discrimination, I agree, is unpleasant. Still, equality—and I think my hon. friend may agree with me on this—may mean reduction as well as addition. Would my hon. friend—and I will even ask the hon. member for Southeast Grey—would she want all statutes to be changed where inequality exists between the sexes? After all there are the physical laws, the laws against which nobody can contend and which we must recognize. Complete equality would be much more detrimental than beneficial to women.

Miss MACPHAIL: Will the minister explain that more fully? I should like to have an instance of it.

Mr. LAPOINTE: I will with the greatest pleasure. My hon. friend wants me to explain the matter more fully. I will give her some instances. I do not know whether the hon. member for Temiscouata (Mr. Pouliot) is present to-night, but the other day he called attention to this point with regard to Ontario. There are in several provinces laws concerning labour for women, laws concerning minimum wages for women and not for men. Does my hon. friend desire equality on this?

Miss MACPHAIL: Certainly I do.

Mr. LAPOINTE: But equality does not exist and this law was made for the protection not of men but of women.

Miss MACPHAIL: Implying that men have made women their inferiors.

Mr. LAPOINTE: My hon. friend does not like the one I have mentioned; let me cite another. There are laws making it an offence and a crime for men not to support their wives. Does my hon. friend wish equality on that? Does she think it should be a crime for a wife not to support her husband?

Miss MACPHAIL: Yes, if all the laws and all the customs of civilization with regard to women were changed.

Mr. LAPOINTE: Exactly. My hon. friend is making up my case. All the laws of civilization make the situation different and it cannot be otherwise than different.

Miss MACPHAIL: Yes, it can.

Mr. LAPOINTE: Non-support laws?

Miss MACPHAIL: All the laws having been made by men for the protection of men, how can we change them but gradually?

Mr. LAPOINTE: The law making it a crime for men not to support their wives was made for the protection not of men but of women. Surely my hon. friend will admit that. I can cite other laws which surely cannot be equalized. There are laws granting allowances to mothers. Can such a law be equalized?

Mr. IRVINE: Yes.

Mr. LAPOINTE: My hon. friend would favour laws granting allowances to fathers?

Mr. IRVINE: Hear, hear.

Mr. LAPOINTE: In my province such a law would be a great boon to many people.

Mr. McGIBBON: Might I remind the minister that those who demand their rights forfeit their privileges?

Mr. LAPOINTE: In various provinces there are widows' pensions, and I do not think my hon. friend is right when she says that all the laws were made to protect men as against women. Surely nobody has ever asked for laws granting pensions to widowers; still there are pensions granted to widows. Those are instances where inequality exists, but it exists in a way that protects women rather than men and I think it is rather a benefit to women that such inequality exists. I might mention the fact that military laws are not the same for women as for men. It would be cruel to women if those laws were changed to make them equal as between men and women.