

Divorce Bills

of clause in the bill in order to establish more power and efficiency for the church concerned and its officers. The church seeks to carry on its spiritual, educational and, as they say, temporal work in a better and more organized way. We are in agreement with that principle as it is expressed in this clause and in the bill itself. There happens to be one of the agencies of this organization near the area I represent, and I can tell the committee that its work does harm to none, and I think does benefit to those of its particular faith. Beyond that, the school in question has a very good football team. Therefore we are very much in favour of this legislation.

The Deputy Chairman: Shall clause 1 carry?

(Translation):

Mr. Plourde: Mr. Chairman, it gives me pleasure to rise and urge the hon. members of this house to let this bill go through with no further discussion.

This concerns a new congregation dedicated to the training and the education of our young orphans and to the education of those who wish to improve their knowledge.

If we had more congregations of this kind to look after our youth, we would not be faced with all our present problems now.

There is a lack of leaders because the basis is missing. And this bill offers a way to assist that congregation by incorporating them.

(Text):

Clause agreed to.

Clauses 2 to 16 agreed to.

Preamble agreed to.

Title agreed to.

Bill reported and read the third time and passed.

ALETHEA SARAH IVY FOWLER

Mr. Nicholas Mandziuk (Marquette) moved the second reading of Bill No. SD-12, for the relief of Alethea Sarah Ivy Fowler.

Mr. Frank Howard (Skeena): Mr. Speaker, the bill before us—for which I have the printed copy of the evidence that was taken before the committee of the Senate which deals with these matters—seeks, as is indicated in the preamble, to dissolve a particular marriage, based upon certain facts as alleged in a petition and certain evidence as given before the committee to support the facts contained therein. I think that inasmuch as this bill seeks the dissolution of a marriage we should inquire as to whether there is a marriage to be dissolved, because this perhaps is not always felt to be necessary.

[Mr. Mather.]

One of the paragraphs of the petition, as is indicated in the preamble, alleges a particular fact, namely that a marriage did take place between the two people concerned, that it was by licence duly obtained, and the marriage was celebrated by the Reverend J. R. Graham, at the manse of St. Andrew Presbyterian church in the city of Sherbrooke, in the district of St. Francis. In the hearing before the Senate committee the petitioner was placed under oath and asked certain questions with respect to the marriage. A document was filed. I do not have it in my possession, but it is undoubtedly in the possession of the holder of all the official information with respect to this case. That document was a marriage certificate. I doubt whether it is necessary for us to actually obtain that particular document to see whether in fact it is a certificate, because it was identified by the witness under oath and produced to the committee of the other place. When the petitioner was before the committee as a witness on her own behalf, the clerk of the committee asked her certain specific questions with respect to this allegation of marriage. He asked as follows—

Mr. Speaker: I wonder if the hon. member has fully considered the import of citations 482 and 483 which I drew to his attention the other day with regard to these matters? I am wondering whether what he is doing now is merely to call into question certain parts of the evidence, or certain facts which may be a little different from those he was discussing the other day, at which time I drew his attention to those particular citations.

I would again indicate to the hon. member that the house does not profess to decide on second reading as to the truth or otherwise of the questions of fact involved. If I may remind the hon. member of the words in citation 483 of Beauchesne's fourth edition—

—in conceding a second reading for a private bill, the house is regarded as merely giving its sanction to its general principle on the hypothesis that the committee to which it is afterwards referred finds those allegations proved. It is usual, therefore, to allow the second reading except where the bill enunciates some principle which the house is not prepared to affirm.

For that reason I do not feel it is proper to go into the question of whether the marriage was proved or whether adultery was proved, or those matters which are allegations of fact. In the same manner one might say different witnesses never appeared before the committee of the other house. I would respectfully suggest to the hon. member that we are discussing the principle of the bill, not the allegations on which it is founded and that those allegations are matters for the