### FOR O'DONOHOE ON DIVORCE.

**His Speech in the Upper House on the Revision of the Rules of Procedure.**

OTTAWA, April 20.—In the Senate on April 9, when the House was discussing the second report of the Select Committee appointed to frame new rules, orders and forms touching proceedings in divorce, a spirited discussion took place, in which Senators Gowan, Miller, Read, Alexander, Smith, Kaulback, Almon, Power and O'Donohoe participated. After the report had been read Senator Alexander moved that the further consideration of the report be not now proceeded with, but that it be postponed until the second week of the next session of Parliament.

Senator O'Donohoe of Toronto, in his remarks, said:

I do not purpose occupying the time of the House to any extent, but it seems to me that unless there is manifest cause, the rules of the House should not be interfered with or changed. For my part, either through the press or otherwise, I have heard no complaint made against the system of procedure in the Senate in the past, and I know this, that that system has minimized the number of divorce cases—that the procedure now proposed is better calculated to facilitate divorce and divorce cases than the system that has hitherto prevailed. The very fact of bringing the parties before the bar of this House and examining them in the solemn manner in which they are examined, has a most deterrent effect upon applicants for divorce. The change draws away from the House that feature. It takes it to a committee. The moment persons who wish to obtain divorce feel that they can go into a committee room, hidden away from the public gaze, and give their evidence with closed doors, it will tend to increase the number of applications for dissolution of the marriage tie.

Those hon. gentlemen who believe that it is for the benefit of society, for the benefit of the family tie, for the benefit of the country, may well vote for a procedure such as the one now proposed; but men who believe that divorce should be kept down and minified as much as possible will be committing an error in voting for the report moved by my hon. friend. It is nothing more or less than the creation of a court within the Senate. It is an imperium in imperio. That is what this procedure will produce. I have not to learn that hon. gentlemen of this Senate, while tolerating divorce, and while endeavoring to deal with cases of great hardship, would give a vote or perform an act that would increase the number of divorces in this country or weaken in any manner the sacred character of the marriage tie. Everything is done in this proposed procedure to increase the number.

Notice is shortened. As it has often been said, a couple may disagree to-day. You give them under existing rules six months notice before they could come before this House. In that period their wrath has time to cool, and that which at one time was matter irreconcilable between them ceases to be so. Time assuages and cools their passion, and enables them to continue to live with one another. That is the state of things as they now exist. Has there been any matter throughout the Dominion for increased facilities for divorce? Let any man put the question to himself. If there has not been, why not let the system as we have had in the past govern? I repeat, that the solemn manner of bringing a witness to the bar of this House and system of examination is deterrent in its effect.

The moment you do away with that solemnity of procedure in the House, and take it between the walls of a committee room you destroy its deterrent effect, in my humble judgment, and I submit with the greatest possible deference that we should do nothing whatever tending to increase the number of applications for divorce, I, on that ground, purpose taking no part in the discussion of the clauses of the proposed procedure, because if there are in this House hon. gentlemen who want to facilitate divorce I believe that the system promulgated by my hon. friend is better calculated for their purposes than our rules as they stand at present.

The House divided on the amendment, which was lost on the following division:

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### THE BEHRING SEA DISPUTE.

**Negotiations Now Going on at London Upon the Seizure of Sealing Vessels.**

*From The New York Sun.*

WASHINGTON, April 18.—Some interest is excited in the news which has come from London that negotiations relating to the seal fisheries are proceeding there. The Russian Ambassador, Baron de Staal, the acting American Minister, Mr. Henry White and the British Premier, Lord Salisbury, have already held a conference on the subject, and the question arises whether our diplomacy in regard to American interests in Behring Sea will be more commendable in regard to American interests than that relating to the shores of Nova Scotia and the Gulf of St. Lawrence.

Not long ago Collector Hager of San Francisco sent a telegram to Victoria, in British Columbia, saying that he had received instructions from Washington to warn all private sealers from renewing their industry in Behring Sea. Thereupon one of these sealers sent a communication to Mr. Baker, member of Parliament for Victoria at Ottawa, demanding protection. The Deputy Minister of Fisheries has now replied to a communication from Mr. Baker that the whole subject has been submitted to a negotiation now going on. He adds this information as to the Canadian claim:

The Dominion Government has earnestly and repeatedly represented to the British Government the gravity of the wrong to which Canadian citizens have been subject in Behring Sea, and has urgently pressed for a reparation of such wrong. The authority of the Government of Canada is limited to the protection of its territorial waters. It has no power to send armed vessels on high seas to defend its subjects or their property.

It is clear from this official statement that at least Canada does not propose to send out cruisers to do battle with our revenue cutters in Behring Sea; but perhaps she would not object to having the British fleet in the North Pacific undertake that task.

The claim of our Government to the ownership of Behring Sea is by no means as well established as the rights of our fishing vessels to commercial privileges in Canadian ports on the Atlantic. Since it seems to have been assumed as a matter of necessity that there should be some concessions to Great Britain and Canada in order to prevent the late fishery negotiations from perishing, even in the Joint Commission itself, it has often been a subject of surprise that the seal fishery dispute was not also brought into these negotiations as a possible basis for the compromise thus deemed essential. Congress had most emphatically declared against any concession of the plain rights of our New England fishermen, and had even sanctioned a declaration of non-intercourse with Canada rather than yield an inch of these rights. On the other hand, it had never assumed so uncompromising a stand in regard to the Behring Sea dispute. Many people hold that we are making extreme claims in Behring Sea, solely in the interests of a monopoly, the Alaska Commercial Company, the Government's tenant in the Pribylov Islands. It is in defence of this company's exclusive grants of seal fishing at St. Paul and St. George that, whether lawfully or unlawfully, we are seizing and confiscating vessels and cargoes hundreds of miles from those islands and hundreds of miles distant from any land.

What has actually been done thus far in our diplomacy is to separate the two subjects of contention and to agree upon a treaty in regard to the mackerel fishery which sacrifices the commercial rights of our New England fishermen. That having been done, the Behring Sea question now comes up solely on its own merits, and not as a possible basis of compromise in connection with the other dispute. The chances are that so far as our diplomacy is concerned we shall get the worst of both sets of negotiations, but as to the final decision Congress has has yet to be heard from.

The Canadian Government has not only charged our authorities with flagrant violations of international law in Behring Sea for the purpose of aiding a private corporation from which it derives an income, but has filed a claim for pecuniary damages. This included, up to ten months ago, $35,000 for the arrest and imprisonment of officers of seized vessels; $10,400 for the skins forfeited; $23,000 for the captured vessels; $1700 for the wages of crews, and even $63,000 for the seals the vessels might have caught had they not been interfered with. No excess of modesty has prevented the Canadians from adding to this bill their own legal expenses. Since last May another lot of seizures has been made, and now it is hard to say how high the damages claimed have gone. Perhaps a quarter of a million might cover them. Meanwhile no offset could well be based on concessions made in the cod and mackerel treaty now pending, because the official statements of the president and others have already represented this to be a concession on Canada's part, and a gain for us, and by its terms this treaty is cut loose from the seal fishery matter.


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