

Department it was supposed to have originated, and is so far from what it should be that I think the shortest way to dispose of it would be to ask the House to discharge the order. I therefore move that the order of the day be discharged and that leave be given to withdraw the Bill.

The motion was agreed to.

HON. MR. ABBOTT introduced a Bill to amend the Indian Act.

The Bill was read the first time.

### RIDDELL DIVORCE BILL.

#### THIRD READING.

HON. MR. GOWAN moved the adoption of the report of the Select Committee to whom was referred Bill (G) "An Act for the relief of Fanny Margaret Riddell."

He said: As Chairman of this Committee I do not propose to dilate upon the sad circumstances under which the petitioner seeks relief—a husband leaving his home, disgraced by his own act, living in a state of sin and debauchery, his wife endeavoring honestly and earnestly to support herself and a little child. I do not dilate upon these details, but I simply confine myself to a statement of the facts set forth in the Bill, which were abundantly proved by the clearest possible testimony that could be submitted to any tribunal. It was proved that the woman was married in December, 1871, that she lived with her husband until 1875, that they had a child in 1873, that he left Montreal in January, 1875, having fled from justice, and that he was not then heard of or known much about until he appeared in the North-West.

HON. MR. POWER—I do not think it is necessary to go into the evidence, because it has been printed, and that is one of the public documents which hon. members generally read with a good deal of care.

HON. MR. GOWAN—I do not propose to go into the evidence. I was about to state that in July, 1876, the act was committed which is complained of

in the Bill, and the offender was caught *flagranti delicto*. I will say no more, but simply move the adoption of the report.

HON. MR. KAULBACH—I am with my hon. friend who has presented this report in everything that he has said in favor of the petitioner. My sympathies are strongly with her, and I hope that she will get what she prays for. I believe she is entitled to a divorce, but I do not wish this House to affirm that certain facts have been proved when there is no proof of them. If it was essential to the passage of the Bill to find as has been found by the Committee, I would hesitate about making an objection—I would prefer to give a silent vote against the Bill in the interest of the petitioner, who desires to be free. I would refer hon. gentlemen to the 19th line of the Bill, and I propose to strike out the words beginning with "an" and ending on the 21st line with "aforesaid"; then also in the 38th line I propose to strike out the letter "s" from the word "acts". It may be supposed by some hon. gentleman that this amendment is not important, but I think it is necessary that our finding should be consistent with the facts. If gentlemen will look at the evidence carefully they will find that the words which I propose to strike out of the Bill should be eliminated in order to make it consistent with the facts as proved. There is no evidence of more than one act of adultery, and that act was not proved as it should have been. If a person commits larceny, it is not sufficient for somebody to go into court and swear that larceny was committed: the evidence must be more explicit. I do not suppose that any hon. gentleman wishes to pry into those affairs from a prurient taste, but it is the duty of members of a divorce committee to ascertain whether the charges made by the petitioner are sustained by the evidence or not. It has been the uniform practice of the British Parliament, and it is the practice of the courts now I think, never to grant divorce *a vinculo* except for adultery, and if for an act of adultery by the husband, it had to be coupled with such turpitude as by itself, without