

Every registrar shall forthwith on his appointment take an oath as such in Form No. 6 and shall immediately thereafter post up in public places in the polling division at least six copies of a notice that he is about to prepare a list of qualified voters resident in the division. . . .

I move that the figure "4" at the end of Rule 8 be stricken out, and that the figure "3" be substituted therefor.

The amendment was agreed to.

Right Hon. Mr. GRAHAM: The same change is necessary in Rule 9. I move that the figure "4" at the end of Rule 9 be stricken out, and the figure "3" substituted therefor.

The amendment was agreed to.

Right Hon. Mr. GRAHAM: My honourable friend from Shawinigan (Hon. Mr. Paradis) has vouched for the corrected translation in French of the text of the Bill.

The Bill, as amended, was reported.

THIRD READING

Right Hon. Mr. GRAHAM moved the third reading of the Bill as amended.

The motion was agreed to, and the Bill as amended was read the third time and passed.

DIVORCE JURISDICTION BILL

REJECTED

The Senate resumed from yesterday the adjourned debate on the second reading of Bill 75, an Act respecting the domicile of married women in proceedings for Divorce.

Hon. Sir ALLEN AYLESWORTH: Honourable gentlemen, I was not able yesterday to go any further than I did in what I was trying to say with reference to this Bill, and I wish to thank honourable gentlemen for their kindness to me in permitting, yesterday, the adjournment of the debate.

I shall not attempt to-day to say all that I was intending to say when I began to speak yesterday, because I feel I am not able to-day to do it. I am not well. But I should like to say something further with reference to the proposals of this measure.

This Bill proposes two things: first, to make a change, and a very radical change indeed, in what has always been the law as to the domicile, or home, of any man and woman who enter into matrimonial union. But not only does this Bill do that, contravening all existing principles in its proposal that there may be, for the purposes of divorce, two separate and independent domiciles of the spouses (one of which may be but a temporary place of residence of the woman), but

Right Hon. Mr. GRAHAM.

it proposes also to confer upon the court of the province in which the domicile of the woman has been chosen the jurisdiction to decree divorce, and that jurisdiction is to be exercised not only over the woman who has selected that court, but also over the husband, who very possibly has never in his life been within the territorial jurisdiction of the court to which the wife applies. That strikes me as a very extraordinary proposition and a serious inroad upon all the principles which we have supposed underlay the jurisdiction of our courts in Canada.

The point of view of importance in considering the jurisdiction of any court is not whether or no it has jurisdiction over the complainant. The complainant gives it jurisdiction over herself by resorting to that court for aid. The question of importance is whether or no the court resorted to has jurisdiction over the defendant, that is to say, over the person to answer. This Bill proposes a revolutionary change: it proposes that a wife may apply for divorce to a tribunal in some other province of Canada, to which she resorts for that purpose, and for that purpose alone, and that such tribunal shall have jurisdiction over the absent husband, and may take from him his status as a married man and permit his wife to divorce him. That seems to me simply a revolutionary idea, and I must admit that I have a feeling of astonishment that a measure of this sort should come to us from the House of Commons.

If one is at liberty to speak here of what one has learned from the newspapers, or otherwise, of the reasons that were given in support of this measure in another place, they seem to my mind equally extraordinary. The Bill was supported as one concerning the equality of the sexes. It was said that the woman seeking divorce ought to have equal rights with the man. The proposal was apparently based upon the principle that the female sex needed emancipation from the domination of the male, and that a woman must be given authority, by this measure, to hunt, from one province of Canada to another, for some court in which, though her husband might never have been in any way subject to the jurisdiction of that court, she could find the means of getting a divorce from him.

Before sitting down I wish to draw attention to exactly what this Bill proposes. If honourable gentlemen will look at it they will see that (superfluous words being eliminated, and the effect being stated in one sentence) the Bill provides that a married woman, deserted, may acquire a domicile of her own for the purpose of commencing