

Private Bills—Divorce

the people of the provinces who have no divorce courts to get divorce so long as we facilitate divorce through this court. The stand has unfortunately got to be made here by those of us who object to this method of granting divorce.

Having said that, I believe we should discuss this bill a little more temperately than has been done by the last speaker.

Mr. Cote (Matapedia-Matane): Why?

Mr. MacInnis: For the reason that I shall give you in a moment. An hon. member referred to this "dirty business". It is easy to see that his married life has been happy. He has not had to try to find means of dissolving his marriage. He also referred to the "back-door method" of getting evidence. I am convinced it is no more a back-door method than is the case in a court of law in any of the provinces. Let us remember, there is only one ground for divorce in this country, and obviously to find evidence to prove guilt on that ground one does not find it in the public square. No matter whether you hire a lawyer and take the case to a proper court of law—where I think every hon. member will agree with me that is where it ought to go—you are not going to get away from this method of finding evidence or finding proof of guilt, so long as we have adultery as the only ground for divorce.

I think some hon. members will recall that when the divorce act was amended in Great Britain some years ago the humourist of the British House of Commons at that time, A. P. Herbert, wrote a very humorous story to demonstrate what fantastic things one had to do to give proof of infidelity. Eventually the grounds were broadened. The point which I wish to make is this: I am not opposed to this house granting divorce because I do not believe that they are properly investigated. I am satisfied they are just as well investigated as in any court of law. Nevertheless I am satisfied that this is not the place to grant divorce.

An hon. Member: Let them keep them there.

Mr. MacInnis: That is not the question. The laws of Canada provide for divorce, and until such time as the lawmakers of this country provide a court in every province, then those of us who believe that that is the way it should be done have a right to object in this house.

Mr. Cote (Matapedia-Matane): Why?

Mr. MacInnis: Because we object to the time of the house being taken—

Mr. Cote (Matapedia-Matane): What do you think of the Quebec laws?

Mr. MacInnis: I am not discussing Quebec laws.

Mr. Cote (Matapedia-Matane): You should.

Mr. MacInnis: I am not discussing Quebec laws, but if my hon. friend will go back into *Hansard* a little he will find that during the years 1928, 1929 and 1930 the people of the province of Ontario had to come to this parliament for divorce. Just imagine what the situation would be today if, with the province of Quebec and the province of Newfoundland, we also had the people of the province of Ontario coming here to seek divorces. We would be doing nothing else from morning until night, from January to July, but hearing divorce cases.

Mr. Cote (Matapedia-Matane): I agree with you on that.

Mr. MacInnis: Then if you agree with me on that you undoubtedly agree with me on the rest of my argument. I am very glad to have my hon. friend's agreement, because I think he can give intelligent reasoning to the question.

Mr. Cote (Matapedia-Matane): You will find out later.

Mr. MacInnis: During the sessions of 1928, 1929 and 1930, and perhaps 1927 as well, there had to be—well, call it a filibuster, if you like—put on in this house before parliament decided that the province of Ontario should have its own divorce court.

Now, all of us here—and I think I speak for all of us; in any case I speak for myself—

Mr. Dickey: Are you sure about that?

Mr. MacInnis: Yes. As I said the other night, as each divorce case comes to a vote I will vote for the granting of the divorce so long as it has gone through the procedure laid down by the rules of parliament. But despite that I do insist that this is not the place for the granting of divorces.

Mr. Cleaver: Mr. Chairman, I shall not take long in what I have to say. However, I was rather shocked to hear the remarks of the hon. member for Saskatoon a few moments ago, when he referred to the divorces granted by the parliament of Canada and described them as a farce and a disgrace. I do want to put my hon. friend right, because I have known him for many years, and I know he would not have made that statement if he had known the facts.

I want to tell him that no Senate divorce bill comes before this House of Commons