

least, gave his wife cause to say this of him: 'I have been treated with what amounted to cruelty to me; but I cannot say that I had ever received any actual violence; and although he at times had very violent fits of temper, and would sometimes threaten people's lives, and cursed his father terribly to me in private, he only once threatened me with violence, and then I ran away and he could not do it.' This is the amiable young man who went out occasionally to play cards, because his wife was unsociable and not as amusing as she used to be. Now we should leave all these efforts at exaggerating or distorting the evidence, and try to get at a rational and calm view of what the actual state of the facts is, as shown by the evidence. I shall endeavour to state them without exaggerating on one side or the other. I do not propose to represent either party as a saint or angel, but I am going to take the facts, which I think justify the line I intend to pursue in voting. Before that, I think it would be well to consider under what law we are going to decide this matter. My hon. friend from Lunenburg accuses those who are in favour of this bill of ridiculing the Superior Court of the Province of Quebec, of treating it with contempt. I do not find anything in the evidence, or in the discussion, to support that pretension at all. The case which was tried at Montreal, was taken under a special law of the Province of Quebec, and the judge no doubt gave a correct judgment upon the evidence before him. We do not know what evidence was submitted to him, but we do know this, that the wife's evidence was not before him. The wife was examined, but every gentleman from the Province of Quebec, whom I address here, knows how one of the parties to a record can be examined by the other party. There she can be called up on interrogatories—*faits et articles*; or examined by the other side; but she is not allowed to be examined by her own counsel on her own behalf, except to explain any fact stated by her in the examination on the other side. So that the detail of circumstances that we have before us in this record, could not have been before the judge, and if by some extraordinary ac-

cident it could have got before the judge—which is quite incredible—the judge had no right even to read it, except to enable him to judge that it was something in her own favour and which he must therefore disregard. So that, clearly, we are offering no contempt or disrespect to the Quebec courts or to the Quebec law. I would be among the first in this House to stand up and defend that system and those courts, because I know what they are; I have been bred in them all my life, and I know how to respect the equity and justice with which the laws of Lower Canada are imbued. Therefore I say that it has no foundation at all, and can only have been used as an argument which might induce some of our friends in the Province of Quebec, to think they are vindicating their laws by voting against this bill. Such would not be the case in the slightest degree. It must be observed in connection with that, that we cannot be acting under the law of Lower Canada in dealing with divorce, because divorce is not allowed under the law of Quebec. The very fact that we are considering this case, shows that we are not acting under the law of Lower Canada, because that law does not recognize divorce at all. Under what law are we acting? I do not know of any statutory provision, or anything in the constitution, which declares what shall be a sufficient cause for divorce or what shall not. I am told that we go to the House of Lords for our precedents in that respect. I would ask the House to consider at what period we are to look for these precedents? Shall we go to the time when a man was granted a divorce because he wanted a male heir? Is that the time? Or must we go to the time when a woman was refused a divorce, although it was proved that her husband had been guilty of adultery in the marital residence, and that he had horsewhipped his wife, and treated her otherwise with the utmost brutality? Is that the precedent which shall guide us? The House of Lords never granted divorces to women, except in two or three cases, and for a time refused them altogether, and when the House of Lords, thirty years ago, practically ceased