

riages were dissolved in the United States in one year. The amendment if adopted might thus raise the total of Canadian marriages annulled. Without in any way expressing my judgment upon the question involved in the amendment of the hon. member for West York, I shall certainly vote against that amendment in order to allow the House to pass upon the question that is before us in this bill, namely, whether western women should any longer suffer under this disability.

Mr. ANDREW McMASTER (Brome): Mr. Speaker, I wish very briefly to refer to some of the arguments advanced in support of the resolution moved—

Mr. BRETHEN: I rise to a point of order. Some few weeks ago I raised a question in the Private Bills committee that I believe is involved in this amendment. The matter was referred to the law clerk for a ruling. We have that ruling and we expect to-morrow to have it given to the Private Bills committee.

Mr. SPEAKER: The hon. member may not refer to what takes place in a committee until the report of that committee is tabled. On the third reading of a bill, any such amendment as the present one is in order. With respect to the remarks made by the hon. member for Marquette (Mr. Crerar) as to the amendment—

Mr. BRETHEN: Mr. Speaker—

Mr. SPEAKER: I have given my ruling in respect to the point raised by the hon. member (Mr. Brethen). I am now speaking of another matter. May say:

That on the third reading of a bill, such amendments as have been already described in reference to a second reading may be proposed to the question for now reading the bill the third time.

At page 390 I read the following:

It is also competent to a member who desires to place on record any special reasons for not agreeing to the second reading of a bill, to move, as an amendment to the question, a resolution declaratory of some principle adverse to, or differing from, the principles, policy, or provisions of the bill.

So the amendment was quite in order.

Mr. BRETHEN: My point of order is whether this can be considered here when we are considering it in the Private Bills committee.

Mr. SPEAKER: I have given my ruling. No hon. member can refer to a matter that has arisen in a committee until the report of that committee is tabled. There is nothing before the House from that committee on

the question. My ruling is that there is no point of order.

Mr. ANDREW McMASTER (Brome): I am sorry to delay hon. members, but, after all, this is a matter of great importance which merits careful consideration. I would ask members to consider not the avowed object of the resolution proposed by the hon. member for West York (Sir Henry Drayton), but its probable effect. On the face of it, it appears quite right and fitting that the guilty party should not have the right to remarry. It looks like that at first blush, but when we come to examine the matter, it seems to me that we are driven to an entirely different conclusion.

I am going to ask members of the House to consider first the case of the man who has failed in his marital duties and who has been divorced on the ground of adultery. He is by this amendment condemned to live separate and apart from womankind for the rest of his life. Will he do so? As a rule men are somewhat older than the spouses they marry, and therefore he is likely to remain in the condition which I have indicated all his life. Now is that a wise provision? Will it prevent the man or will it encourage him to make illicit liaisons? Is not that what is likely to happen?

Then let me take this illustration. If we pass this legislation as proposed by the hon. member for West York, we immediately depart from what is the accepted practice and, I understand, the law in the British Isles and in different parts of the associated British commonwealths on this question. Are matters of this sort not likely to arise? A man some years ago, let us say, had been divorced, and properly divorced, from his wife on the ground of his infidelity. He comes to Canada. In Canada he remarries believing, incorrectly, that he had the right to do what he would have had the right to do if he had remained in England. He marries some innocent woman. Now under this legislation proposed by the hon. member for West York, that man by that infraction of our law will not only be punished as a criminal himself, but he will bring the worst disaster that can befall the innocent woman that he marries and any offspring which they may have in that second marriage. Is not that a thing likely to occur? We want to protect the home, oh yes, but are we going to protect the home by this legislation?

Mr. BOYS: Would not the questions put to him when seeking a license get over the difficulty raised by the hon. member?