

may not be in a position to marry. I will mention an instance that came to my attention within the last month. A Canadian went overseas leaving in Canada a wife who went off with another man. The soldier foolishly paid attention to a girl in England, and she, believing him to be single, married him, not finding out that he was a married man until a child was about to be born. She came to Canada with him but the child was born prior to their arrival. That woman is in Canada living with the man in Kingston, wife number one not desiring to live with him. It is not a legal offence for these two people to live together, and you cannot prosecute the man for bigamy because the offence was committed in England. Will it be contended that it should be an offence for this man and woman to register in a hotel as man and wife, notwithstanding the fact that they may legally live together in a private house? That would be an anomaly. I can give half a dozen instances of the same kind if necessary. I have no desire to throw protection around people of this class but I certainly think that we owe it to them not to set traps for them. That is the principle on which I advocate the amendment I propose. The endeavour apparently is to prevent a man and woman from going to a hotel and using it as a place of assignation, but it should not be held that a couple casually visiting a hotel should be treated as criminals simply because they register or otherwise conduct themselves as man and wife when they are not such in fact. There are men and women living in this country as married people who are not legally divorced from their previous husbands or wives. How unreasonable it would be to say that they should live together in private residences unmolested, but that because perchance they come to Ottawa to see the leader of the Opposition or go to Toronto to attend the opening of the legislature they should be made criminals if they register at a hotel.

Mr. EDWARDS: I can only attempt to argue this matter from the standpoint of common sense. It seems to me that the member for Kingston fails in his argument when he assumes that it is all right for these people to live together as long as they do not go to a hotel and register. I take the view that they are committing a moral offence, at all events, when they live together after discovering that they are not legally married. If they continue to live together they are committing an offence even if they do not go to a hotel

and register. The leader of the Opposition has expressed the case exactly when he says that the passing of this amendment will be equivalent to this House countenancing the living together of people who have no right to do so. To take the case mentioned by my hon. friend of the English girl marrying the soldier in good faith. What course should she take on ascertaining the facts? I think she should leave him at once, and the fact that she may decide to continue living with him does not excuse either of them if they go to a hotel and register. There ought to be a law on the statute-books, if there is not, making it a criminal offence for people to live together who are not married.

Mr. NICKLE: I do not want the hon. member for Frontenac to put words into my mouth. Not for a moment did I suggest that it was all right for such people to live together. I was not discussing morals but law, and it is in that respect that my friend no doubt misunderstood me. I said that adultery, at least in Ontario and Quebec, had never been recognized as a crime. The hon. member may be quite right in saying that it should be made a criminal offence, but if we are going to make it such let us do so in a direct way and not set traps for people. What I said was that so long as the law of Canada did not recognize adultery as a crime, I thought it was unreasonable that those who were living together openly as man and wife should be made criminals simply because they went to a hotel, lodging house, or boarding house and represented themselves as being married. I object to setting traps for people who are innocently—if I may use that word without giving offence to the hon. member for Frontenac—doing something they would have a right to do under the general law of the country but which becomes an offence when they register at a hotel or boarding house, or represent themselves as having a certain status which they have not.

Mr. JACOBS: Is not this the same Bill that was before the House last year, passed the House, and was thrown out by the Senate?

Mr. MEIGHEN: This is the legislation in exactly the form in which it passed this House.

Mr. McMASTER: I have listened with a great deal of care to what the member for Kingston (Mr. Nickle) and the member for Frontenac (Mr. Edwards) have said. I incline to the view expressed by the member