

*Private Bills—Divorce*

FRANCES BAILEY HERSHBAIN

**Mr. H. W. Winkler (Lisgar)** moved the second reading of Bill No. 25, for the relief of Frances Bailey Hersh bain, otherwise known as Frances Bailey Berman.

**Mr. Stanley Knowles (Winnipeg North Centre):** Mr. Speaker, I move, seconded by the hon. member for Selkirk (Mr. Bryce):

That the debate on second reading of this bill be now adjourned.

There is no evidence.

**Mr. Mutch:** How silly can this get?

**Mr. Speaker:** Is it the pleasure of the house to adopt the motion?

**Some hon. Members:** Yea.

**Some hon. Members:** Nay.

**Mr. Speaker:** In my opinion the yeas—

**Some hon. Members:** Oh, oh.

**Mr. Speaker:** In my opinion the nays have it.

**Some hon. Members:** Oh, oh.

**Mr. Speaker:** In my considered opinion the nays have it.

The house divided on the motion (Mr. Knowles) which was negatived on the following division:

**YEAS**

Messrs:

Argue	Herridge
Aylesworth	Higgins
Balcer	Hodgson
Blackmore	Jones
Brooks	Knight
Bryce	Knowles
Catherwood	Low
Charlton	Macdonnell (Greenwood)
Coldwell	MacLean (Queens)
Dinsdale	McLure
Fair	Quelch
Graydon	Stewart (Winnipeg North)
Green	Thomas
Hansell	Tustin
Hees	Wright—30.

**NAYS**

Messrs:

Anderson	Gregg
Applewhaite	Harris (Grey-Bruce)
Balcom	Helme
Bater	Henderson
Benidickson	Huffman
Bennett	Kirk (Antigonish—
Bradley	Guysborough)
Campney	Macdonald (Edmonton
Carter	East)
Cavers	MacDougall
Cloutier	MacKenzie
Corry	MacLean (Cape Breton
Dewar	North and Victoria)
Eyre	McCubbin
Ferrie	McCulloch
Garland	McDonald (Parry Sound—
George	Muskoka)

[Mr. Speaker.]

McIvor  
McLean (Huron-Perth)  
McMillan  
McWilliam  
Mayhew  
Murray (Cariboo)  
Prudham  
Stick

Stuart (Charlotte)  
Ward  
Weaver  
Weir  
Welbourn  
Whiteside  
Winkler  
Wood—46.

**Mr. M. J. Coldwell (Rosetown-Biggar):** Mr. Speaker, before we proceed I should like to say a word about the situation in which the house finds itself in connection with these divorce bills. What has taken place tonight indicates quite clearly how tired hon. members are of this business of dealing with divorces in this house. There are, I believe, six vacancies in our membership at the present time which gives us a total of 256 members who might be in their seats tonight.

**Mr. Hodgson:** A lot of them are out behind the curtains.

**Mr. Coldwell:** I said who might be in their seats. I am quite convinced that if it were not for the fact that so many object to participating in voting for these divorce bills more would be present. For example, as I look around I see that many of our colleagues from Quebec are not in their seats tonight. I think that that clearly indicates that they do not wish to participate in the granting of divorces.

Seventy-nine members voted in the vote before the one that was taken immediately before I rose to speak out of a possible 256 votes that might have been cast if hon. members who have retained seats had been present and able to vote. I think it is becoming quite apparent that many hon. members are here because they consider it to be an unpleasant duty, because they feel that someone has to do this job.

**An hon. Member:** They do not necessarily agree.

**Mr. Coldwell:** They do not necessarily agree with what is being done. I can understand that viewpoint. I share that feeling which the hon. member has indicated, but I do feel that when a marriage has been broken up under certain circumstances a divorce should be granted.

As in the case about which I spoke the other evening, we have here a bill which is not supported by one shred of evidence; yet this house is being called upon to declare that one party named in the bill is guilty of an offence. In other words, without a shred of evidence we are adopting the principle of a bill to dissolve a marriage and by it are declaring one of the parties guilty. Without having in our hands one shred of evidence