

templated divorce, and were about to seek redress by applying to this parliament, but were deterred by the consideration of expense. These parties would have separated and made their families homeless, but were prevented by the expense involved from making application for divorce. And in the end it was found that they lived happily together. On the question of expense, a good deal can be said on both sides. It is no doubt a hardship that a poor man or a poor woman who has just cause for seeking a divorce—and the cases are very limited where there is just cause—should be debarred from a remedy by reason of the expense. It will be found unwise, I am sure, and unfortunate if we make the means of obtaining divorce any easier than they are now, except in the matter of expense alone.

I did not hear the right hon. leader of the government speak on this question, but I gathered from the remarks of the member for Victoria that the leader of the government said that this motion should not be adopted at the present time because there had been no petitions in favour of it. Why, is that a sufficient answer to this proposition, or to any other? So far, experience seems to show that in this House, at present, the greater the number of petitions against a grievance, the less chance there is of getting redress. Not only during this session of parliament, but during preceding sessions, we have had petitions pouring in in favour of certain measures and nothing has come of them. Take for instance the cattle-guard question. If we are to judge of the effectiveness of petitions by the history of that question in this House, we would rather come to the conclusion that the fewer the petitions the greater the probability of obtaining redress.

Now I come to the resolution itself. The hon. gentleman who moved it says:

That this House is of the opinion that the laws of Canada should clearly and within narrow limits define the causes for which divorces may be granted.

Upon that point I entirely agree with the hon. gentleman. I believe it would be greatly in the interest of Canada to define exactly what causes may justify the granting of a divorce. I entirely agree that we should define within narrow limits those causes. Speaking for myself, I must say that I am entirely opposed to the principle of divorce except in the most extreme cases. Every effort should be made, both by legislation and by educating public sentiment to minimize as much as possible the number of cases in which a divorce may be obtainable in this country. It would be very unfortunate if we opened the door for divorces as widely as it is open in the neighbouring republic, where so great facilities exist for obtaining divorces, and where so great a number are granted in consequence. The hon. gentleman then says:

But that the present system of granting divorces by legislative enactment is unduly expensive, and often capricious and unreliable.

A word later on about the question of expense, but I agree that the present means for obtaining divorces are to a large extent capricious and unreliable. He says further:

That if cause for divorce may exist, the means for obtaining a decree should be rendered less expensive than at present.

I submit that the means can be rendered less expensive without going to the opposite extreme of facilitating the obtaining of divorces. I hope parliament will take this matter up, not in the sense of encouraging divorces—and I think that is what makes some hon. gentlemen afraid to speak upon this question—but recognizing the fact that in some isolated cases parties must have divorce. Recognizing this fact, I submit the resolution is probably on the right lines when it asks parliament to declare that proceedings for obtaining divorces should be less expensive than at present, in order that the poor man may have the same facilities for obtaining redress as the rich man. Then he says:

And that as the justification of divorce by virtue of law, defining adequate cause, can only be established by investigation and evidence, the proceedings upon which such decree may be obtained are judicial in their character; and that consequently divorce proceedings should be taken before, and decree of divorce emanate from a properly constituted divorce court.

Now whatever opinion may be held on the abstract question of divorce, there can be no difference of opinion as to where the investigation can most properly be had. It should surely take place in a court of justice, where the machinery and procedure are adapted for eliciting evidence, where the court is in the habit of restraining every expression of levity, and where the utmost decorum is always observed. There can be little doubt I think that the investigation can better take place in a properly constituted divorce court than elsewhere. I am not quite certain that I understand the meaning of the mover of this resolution. If he intends that we should have a separate divorce court, distinct from the existing courts of the Dominion, I would not be prepared to agree with him; but if his meaning is, as I apprehend it is, that some court at present constituted should have these functions added to it, or that some of the judges of the Supreme Court or of a Superior Court should constitute this court, then we would avoid the additional expense which would be incurred by constituting a new court. In this view of the matter I would be in favour of the resolution. I am rather happy at the fact that for the first time in my very short parliamentary experience I have been, to a large extent, with the distinguished gentleman who has