

cerned, the courts are much better adapted to protect the rights of individuals and to protect society than are bodies similar to the one of which we are members when it comes to dealing with judicial matters. As a matter of fact, there is in some respects no body existent which is less capable of dealing with the kind of matters which come up for consideration under applications for divorce than is a legislative assembly. The very nature of these cases precludes their being discussed in parliament with any regard for the public interest. One of the horrible features of the present system is the emanation every year from this parliament of volume after volume—if we may so describe those little records which contain the evidence given in the various cases which come before the Senate—of literature of the most scandalous character which is circulated throughout the country, is often reprinted in whole or in part and finds its way into innumerable homes. That evil, I believe, would be wiped out entirely if this problem were dealt with by the courts.

However, hon. members must take their own individual responsibility and use their own individual judgment in deciding on all such points. My own view is that properly constituted a court safeguards and restricts the granting of divorce, but I know that others take the opposite view and I am quite prepared to concede that their judgment is as good and maybe much better than mine. I feel very strongly, however, that, regardless of the view entertained as to the value of procedure by courts, a divorce court itself should not be forced upon a province regardless of the will or the wish of the particular province concerned.

I propose to give the hon. member for South Huron my personal support for his amendment because, as I have said already, I do not like the form in which the bill has been presented containing, as it appears to me to contain, that compulsory feature. If the resolution of my hon. friend is interpreted by members of this house as being a means of preventing the bill from being further considered, and the amendment in consequence is voted down, then I will support the second reading of the bill proposed by the hon. member for Winnipeg North Centre on the understanding, however, as already explained, that when the bill goes into committee a clause will be inserted to the effect that the provisions of the bill shall not apply to the province of Ontario until that province expresses its desire to have them made applicable. If that clause is not inserted when the bill is in committee, then I shall vote against the bill upon its third reading.

If the amendment of the hon. member for South Huron and the bill on its second reading are both defeated then we will be in about the same position as if the amendment carries. We will have expressed our view upon the subject of divorce generally, but we will not have provided any new method of procedure. Under those circumstances, it would be necessary for the government to indicate the next step to be taken. I might as well say at once that the government intends if hon. members decide not to enact the measure before the house either in its present or in an amended form, to ask for the appointment of a committee of the two houses of parliament to examine into the possible improvement of procedure to be adopted with a view to seeing if it is not possible, on the one hand, to have some method worked out which will relieve parliament of a considerable portion of the burden placed upon it at the present time and, on the other hand, provide greater safeguards than at present exist in the granting of divorces by this parliament.

Mr. J. S. WOODSWORTH (Winnipeg North Centre): Mr. Speaker, the Prime Minister (Mr. Mackenzie King) has given a very admirable outline of the situation in which this house finds itself at the present time. Should this bill which is now before the house not pass, we would undoubtedly be in the same predicament in which we were last year, and some of us feel that it would then be essential to take further steps to impress upon this house the necessity of some action to relieve parliament of the present impossible situation.

The Prime Minister has not indicated any alternative method which could be worked out. A joint committee might be called to discuss this matter, but in the meantime we would have 300 cases on our hands which would have to be dealt with. It is not clear that a joint committee would evolve a better method than that which has been passed three times by the other house, and which has been under the consideration of this house up to the present time. There has been a very considerable change of sentiment, caused, I believe, by the members realizing the importance of this question and I do not think a stronger plea for the second reading of this bill could have been made than that presented just now by the Prime Minister. Unfortunately it seems to me that after the Prime Minister had made that plea, he took a position which if followed would effectively defeat the bill. The amendment which has been proposed by the hon. member for South