

EILEEN MAUDE GARDNER RICHARDS

Mr. RALPH MAYBANK (Winnipeg South Centre) moved the second reading of Bill No. 273, for the relief of Eileen Maude Gardner Richards.

Right Hon. IAN A. MACKENZIE (Minister of Veterans Affairs): Mr. Speaker, I understand there are forty or fifty divorce bills on the order paper for tonight. We know in recent years of the controversy and difference of opinion in the house in regard to this procedure. However, sir, until the house wishes to alter its own rules with reference thereto, it would be, I believe, in the process of expedition of the business of parliament if we could have these bills disposed of. I know there is opposition to them, and I am not at all objecting to that opposition; not in the slightest. But in my own humble way I commend to the house the necessity for getting these bills advanced one stage and off the order paper.

Mr. GRAYDON: How any girl ever refused you, after an appeal like that, I do not know.

Mr. RALPH MAYBANK (Winnipeg South Centre): Mr. Speaker, I had wished to draw to your attention something which I believed would be preliminary to any observations which might be made by other hon. members.

Mr. SPEAKER: Since the hon. member is the sponsor of the bill, it is his privilege to speak first.

Mr. MAYBANK: It was not exactly as mover of the motion that I desired to address the house. Rather it had been my intention to let the bill stand. However I did not hear Your Honour clearly when my name was used in the motion. There has been some confusion as to which should come first.

I had not intended to move the bill tonight, at all, but I do not know whether I am now in a position to withdraw it from the house. I have no desire to make an issue of it.

Mr. MACKENZIE: Go ahead.

Mr. MAYBANK: If, on the other hand, it is agreed that the bills should be presented tonight, I shall make a short statement with respect to them. I believe the house knows well my attitude with reference to these private divorce bills. For two or three years I have been introducing them, but definitely I am not in favour of the practice. I realize that, since I do not favour it, I could refrain from moving them. I do that, however, because I am chairman of the miscellaneous bills

committee. It is not a rule of the house, nor indeed until a few years ago was it the practice, for the chairman of the miscellaneous bills committee to do as I have been doing for the last two or three years. I understand, however, that in the other place that has been the practice for many years.

An hon. MEMBER: What has that to do with this?

Mr. MAYBANK: It has considerable to do with these divorce bills. As I say, I have followed that practice for the last three years, and I am willing to continue to do so, solely because it appears to be the desire of the house that divorce bills should be dealt with in this way.

I cannot express too strongly my opposition to this business of granting private divorces. This year a great many cases have passed in front of my eyes which I think would have been handled differently in the courts. I say that with all respect to the committee of the other house which is doing this business of hearing divorce cases. I think hon. gentlemen over there who are giving their time and attention to these cases are to be commended for the assiduity with which they prosecute the duties that have been put upon them; nevertheless I cannot help thinking a large number of these cases would be handled differently in a court of law.

As an illustration, this year a husband was the applicant in one case, while the wife was the applicant in another case based upon a set of circumstances that she alleged. Unquestionably in a court of law there would have been an examination into both petitions at the same time and the whole domestic trouble between the parties would have been dealt with then. However, under the procedure which we have in the House of Commons and in the other chamber the committee can deal only with the bill before us. The result was that one bill was passed and there was no occasion to pass the other, but we were in danger of being in the position of offering a bill to this house for acceptance in connection with which all the facts had not come out. Indeed, that was admitted. Our procedure makes that sort of thing possible.

I believe the best rule that this house could adopt for the future would be to declare that we will not pass private divorce bills. There might be a chance of some other satisfactory procedure being worked out if that were done.

Mr. REID: I doubt it.

Mr. MAYBANK: At any rate things could not be more unsatisfactory than they are. We