

Divorce Bills

to say that we feel we cannot agree to the suggestion made by the right hon. gentleman. Had there been coupled with that suggestion some announcement of government policy with respect to dealing with this question in a forthright and definite way, then the reply we now make would probably be quite different.

Again, it is just as regrettable, painful and disturbing to us as it is to everybody else to have to decline to accept the suggestion made by the Prime Minister.

Mr. Speaker: Well, in the absence of some agreed method of dealing with the situation with which the house is confronted, I have no other course but to proceed according to the order paper and the rule book. It being five o'clock I do now leave the chair for the house to resolve itself into committee of the whole to deal with Bill SD-2.

BRUCE REID CAMPBELL

The house in committee on Bill No. SD-2, for the relief of Bruce Reid Campbell—Mr. Martineau in the chair.

On clause 1—*Marriage dissolved.*

The Chairman: Shall clause 1 carry?

Mr. Peters: We now have on the order paper 327 bills and prior to today we have had only two hours' opportunity to investigate the allegations in these bills. I believe we should have a much longer time today to look into some of these bills.

The bill before us asks for relief for Bruce Reid Campbell, domiciled in the province of Quebec. The petition indicates that the marriage took place in the county of Middlesex, England. The adultery took place in the province of Quebec.

This marriage was solemnized in the Church of England; it was duly published and celebrated by Arthur Douglas Young, rector. At the time of the marriage the petitioner was a solicitor in the Canadian army. He was temporarily resident in England but domiciled in the province of Quebec, Canada. His wife, June Ethel Phyllis Campbell, was domiciled in England before the marriage, and since the return to this country of the husband and wife the parties have declared the province of Quebec to be their domicile, in the district of Montreal.

Mr. Chairman, in this case, again, there are children. One of the matters which has concerned us very greatly is the fact that this particular marriage comes under the British North America Act and gives the federal government jurisdiction in the matter. Out of that marriage there is issue; Malcolm Harold Campbell, Donald Ernest Campbell and

Janice Anne Campbell. The petition contains the information that there have been no legal proceedings between the plaintiff and the respondent as to the maintenance of the children; there has been no agreement or arrangement between the spouses with reference to the children.

This matter of maintenance of children has been argued in the past and probably will be argued in the future. I presume it is a legal argument beyond my ability or comprehension. However, it would seem to me as a layman that if the federal government has the responsibility for this marriage, they must also have the responsibility for any children born of the marriage. There has been considerable discussion in other places regarding the residency clause, and because a particular province is concerned it has been said that the children of the marriage are the responsibility of the provincial authorities and not the federal government.

In this case, Mr. Chairman, we are concerned with whether or not this petition should be granted, but in this case the passing of the bill will give relief to only one person, we assume, if the charge of adultery is correct, and that of course is a matter that warrants some discussion. The fact that we are considering giving relief to the petitioner will create a certain amount of hardship for the children of this marriage.

These children are all of an age at which they are not expected to look after themselves. The first child was born in 1947, the second in 1949 and the third in 1951; therefore they are still of an age when they can expect and should receive parental assistance. Because the question of the maintenance of these children has not been dealt with in the province, because there has been no previous legal application before the courts in connection with their support, this becomes a matter for this committee to consider now, because we are being asked to grant relief to the husband in this particular case, who of necessity would be the breadwinner of the family. Therefore I think in this particular case we should be very much concerned about what happens to the children. I presume that before consideration is given to this question there will have to be some indication that the children have been taken care of and that they will be looked after financially if we separate them by law from their parents.

Mr. Chairman, I would like to refer to the evidence given in this particular case because I think it is important. I would refer the committee to page 11 of the proceedings held in the other place in regard to this matter: