

HON. MR. PROWSE—I certainly agree with the suggestion of the hon. gentleman from Amherst that these cases ought to be relegated to some court rather than to the Senate. I cannot understand why this prolonged and not very entertaining discussion has taken place on the present occasion. As I understand it, the object in appointing a Select Committee to take the evidence and have it printed and placed in the hands of every member, is simply and solely to prevent a public discussion of this kind, and it is not very complimentary to the judgment and good sense of the members of this house when gentlemen rise here and resort to special pleading to urge their views on hon. Senators who have the evidence before them. I shall not discuss the question at all: I have made up my mind, from reading the evidence, how I shall vote, and I think if a division had been taken without discussion it would have been more creditable to the Senate.

HON. MR. REESOR—I am not a member of the Divorce Committee; I had not the advantage of listening to the evidence, but I have taken pains to read the printed evidence over twice and I must say that I have come to the conclusion, after weighing all the points as carefully as I possibly could, judging the evidence as far as possible on its merits, that there is a very serious doubt as to the guilt of the respondent; and I have further come to the conclusion to give my vote in accordance with that conclusion and to give the benefit of the doubt to the respondent. I think the suggestion of the hon. member from Amherst is a most excellent one, and that we ought to have a bill introduced at the next session to provide a divorce court for Ontario. All the other Provinces are provided with such courts, except perhaps Manitoba, and we ought to have one in Ontario to deal with such cases as this.

HON. MR. KAULBACH.—I wish to remove some false impressions that may have been created with regard to the respondent in this case. We are told that she had a comfortable home and was properly treated before she left her husband; that does not appear by the evidence, because she had not been married more than a year when, if she was not turned out of her house, she was told to go to her father with a baby in her arms, and she was only prevented from going there in

consequence of the rain. What do we find after that? This man charges her plainly and openly with improper intimacy with several persons. Then, in the month of February, we find him going to her room where she was sleeping with her daughter, sixteen years of age, jumping on the bed and on her, for purposes which she declined to mention, but we understand what they were. Being repulsed, he struck and assaulted her in a manner that left marks on her face. That is the sort of home that he provided for her. She determined that she would stand such treatment no longer, and she left his house, not surreptitiously or clandestinely, but openly. After an absence of some time she returns and gives an account to her husband of where she has been. What does he say? He turns her away. In the evidence that we have before us, up to the time she left her home there is nothing to show that she was guilty of improper conduct. She was fond of music and had gone to Palmerston one evening to a concert and had come home late at night. All that is accounted for, but in no part of the evidence that we have before us is there anything to show, even in the deposition of the man Pingle, that there was any improper conduct between himself and Mrs. Clapp. When she returns home, in 1888, he tells her that he will have nothing more to do with her as his wife; he casts her away. There was not only desertion but cruelty on the part of the husband, and even if she had become an abandoned woman after that, I do not believe that this House would grant the husband a divorce, because he, by his conduct, contributed to his own shame and was a party to the offence. Therefore he could not come in here with clean hands and ask for a divorce. He does not deny that he ill-treated this woman. I now come to the evidence of McKenzie and Watt. McKenzie says that he saw nothing on that occasion in the hotel in Palmerston that would justify the opinion that there was anything improper on the part of Mrs. Clapp; and besides, we know that afterwards he allowed his sister to go to Detroit with her. We have the evidence of Watt to the same effect, and both are contradicted by Pingle, who says that he had a room in the hotel that night. We now come to the evidence of the spy in Detroit. A woman who will condescend to do what she did, to peep through a slit in the door in the