

any person to take that view if he wishes. As I say, if this Bill becomes law and it is found that it does not work out in practice as we had expected, it will be within the competence of Parliament, which has passed the law, to change it. I am not suggesting that any amendment will ever be necessary, but if we should find that the law is responsible for some abuses which we had not anticipated, and that unforeseen difficulties arise, then Parliament could amend the law so that it would function as it was intended. Speaking for myself, I cannot accede to the amendment of the honourable gentleman, and I shall vote for the Bill.

Hon. H. J. LOGAN: Honourable gentlemen, the case made out against this Bill by the honourable gentleman from North York (Hon. Sir Allen Aylesworth) is, I think, a very strong one. I cannot understand how the Bill ever got through the House of Commons, because as it reads—

A married woman who either before or after the passing of this Act has been deserted by and has lived separate and apart. . . .

it does not specify that the married woman must be a Canadian. As far as this Bill goes, "a married woman" might mean a woman from any part of the world. That is the first objection I have to the Bill, and I cannot vote for the measure as it is presented to us.

Then it strikes me that a very strong argument has been made against the proposal to legalize an application for a divorce by a woman in different provinces. I cannot combat that argument.

But there is a principle in this Bill with which I agree. Take the case of a married Canadian man who deserts his wife and goes to the United States, where he gets a Reno divorce, and subsequently marries another woman in that country. He may have a family by his second wife, but in any event he establishes a domicile in the United States, while his first wife—and, under Canadian law, his only legal wife—remains in Canada and earns her living in this country. But she cannot take proceedings for the purpose of securing freedom from that man, because her domicile, under our law, is in the United States, where her husband's domicile is. It is because of the injustice that I think arises in such a situation that I should like to see all women put on an equal status with men in proceedings for divorce. It is not a question of whether we believe in divorce or not, but one of justice to women who may find themselves in the position of the woman in the hypothetical instance I have just referred to.

Hon. Mr. WILLOUGHBY.

In case some honourable gentlemen have not followed me, I shall repeat what I have said. If a man is married in Canada and deserts his wife, goes to the United States, gets a Reno divorce, as we call it, marries a woman in the United States, has a family by that woman, establishes a domicile in that country, his Canadian wife—his only legal wife, under our law—has her domicile in the United States, and there is no way, as far as I can see, by which that woman can acquire a divorce in Canada. I should like to have that inconsistency and injustice removed. But I cannot vote for the Bill as it now stands, because it is miserably drawn. As I have said, I cannot understand how it ever got by the other House in this shape. I would make a suggestion such as this: "A married woman who is a British subject,"—

Hon. Mr. BUREAU: There is a motion before the House.

Hon. Mr. LOGAN: I might move it as an amendment, but I am just suggesting it now: "A married woman who is a British subject and has been resident in Canada for a period of five years, who either before or after the passing of this Act has been deserted by her husband, residing out of Canada,"—and then go on with the rest of the section. That is the way I should like to see the Bill go through, but in the way it stands now I shall have to vote for the six months' hoist.

The amendment of Hon. Sir Allen Aylesworth was agreed to: contents, 18; non-contents, 12.

Hon. Mr. COPP: I was paired with the honourable gentleman from Westmoreland (Hon. Mr. Black) in a way, and I do not know how he would vote on this question.

Hon. Mr. DANIEL: With regard to the honourable gentleman's statement, I should like to know how it is possible for honourable members to be paired on a question like this, and whether pairs are recognized in this House. I do not see how honourable gentlemen can pair on such a question. We are not divided into parties here. We are supposed to take an impartial view of Bills and other matters that come before this Senate, and decide them on their merits. If my honourable friend should pair with somebody, both honourable gentlemen might happen to agree, and wish to vote the same way. I do not know whether there is any rule in connection with this question, but I think that when a Bill comes up to be voted on every member present is required by the rules of this Chamber to express his assent or dissent.