

*Divorce Bills*

of the house which is supposed to be devoted exclusively to discussing the principle of this bill—and the only principle I can see is whether or not there should be a dissolution—by all sorts of irrelevancies which are obviously not pertinent to the main question.

If any hon. member does not want to have one of these marriages dissolved, he can ask for a division on the measure and have the question settled that way, so that all of us have an equal right to determine it. It seems to me that it is about time—

**Mr. Benidickson:** We want to avoid this whole impasse.

**Mr. Pickersgill:** Well, speaking for myself, I say that I want to see parliament do what parliament ought to do, as long as there is no other method of doing it, and that is to provide relief in these cases.

It does not seem to me, sir, that procedural devices which the Chair repeatedly questions, and which I hope Your Honour intends to rule against, in the sense that Your Honour appears to be ruling, will be allowed any longer to delay the proper determination of these matters.

**Mr. Peters:** Mr. Speaker, it seems to me that if the hon. member for Bonavista-Twillington had his way and the principle of this bill was that which he mentioned, namely whether we should handle these bills in the house or not, then that question would be debatable and a lot of people would co-operate with him. But it seems to me that in this as in the case of all other private bills there must be some principle or else we would not be handling it at all.

I find, not from looking at the evidence but from looking at the bill itself, that certain allegations are made, and some of those allegations must have some relationship to the principle. I think the allegations are the adultery charges and the other charges involved, which I think Your Honour has ruled are not to be discussed at this stage—and I think that is perfectly clear and correct. However, if there was no marriage of the parties described in this bill, then I think there is no principle, and unless the bill were worded differently there would be no point in its being before us.

For this reason I think we should have the opportunity, as we would with any other bill, of discussing that principle. Some hon. members may never have read one of these bills, and in case they have not, I should like to read not the preamble but one of the clauses to the bill. It says:

The said marriage is hereby dissolved and shall be henceforth null and void to all intents and purposes whatsoever.

Nothing can be amended or changed in any way if there is not a principle to change.

It would seem to me that the principle must be the marriage itself. I would respectfully submit, as the lawyers say, that this is the principle of this bill and that hon. members on second reading should concern themselves at least to this degree with the principle of the bill.

**Mr. Douglas:** On two occasions in the last few minutes it has been said that we are limited to discussing the principle of the bill, that the principle of the bill is whether or not we wish to dissolve a marriage, that any member who wishes to object to the dissolution of a particular marriage can vote against the bill, and that those who wish to dissolve a marriage may vote for the bill. It seems to me that it is preposterous to ask me as a member of parliament to agree to the dissolution of a marriage or to vote against the dissolution of a marriage without being able to discuss and debate the alleged grounds for asking that the marriage be dissolved, without any opportunity to discuss whether or not proper and adequate provision has been made for the children of such a marriage, if there are any, and whether or not adequate provision has been made for the wife through alimony. How is any member of this House of Commons, intelligently and with a proper sense of responsibility, going to vote to dissolve a marriage unless the germane and relevant matters have been discussed and debated?

**Mr. Benidickson:** The hon. member referred to one marriage out of 500 that might come before parliament for investigation.

**Mr. Douglas:** Not only with regard to one out of 500 but with regard to every one of the 500 I say you have the right to have this kind of information. If members of parliament are going to exercise the power to dissolve marriages, they ought to exercise it with a sense of responsibility. If ever there was a demonstration of the travesty of the House of Commons having this power, this is it. This is exactly why it ought to be taken away from this parliament. However, if we are to be compelled to exercise this power, then let us exercise it with a proper sense of responsibility. I submit that we cannot exercise it with a proper sense of responsibility unless we can discuss the grounds upon which it is wise and appropriate to dissolve a marriage or the grounds upon which we should vote against dissolving that marriage. I submit that I do not know how it is possible to discuss the principle of dissolving a marriage unless we can discuss and debate all the relevant facts which make it either advisable or inadvisable to grant dissolution of a marriage.