

dence, and not by the allegations in the preamble of the Bill and in the petition. In the evidence which has been submitted by the committee there is nothing whatever to indicate that the husband was not of full age. The girl is spoken of as a minor; she was twenty years and six months old. Now, here we have everything that is necessary to a valid marriage. These were parties competent to contract. There was a man who, as far as we know, was over twenty-one years, and the woman almost twenty-one. These parties had been engaged for twelve months. It was not a sudden thing at all; there is no fraud on the part of the husband to bring about the marriage and no compulsion alleged. If ever there was a valid contract entered into by parties with their eyes open this is one. After having been engaged for twelve months these people go to a clergyman of the Church of England, and are married, not under false names but under their own names. Now, what is the evidence? The question is asked:

"Q. Had you agreed to go through the ceremony with this man?—A. We agreed to be married slyly, about three weeks before, but I did not know anything about the arrangement until the day before.

"Q. At that time, did you consider you were going to be married, or was it simply some little lark on your part?—A. It was not any lark. We both understood we wanted to be married.

"Q. And you went there with a serious intention of being married?—A. Yes.

"Q. And living as man and wife?—A. Yes.

"Q. Was there any understanding beforehand that you were not to live together as man and wife?—A. Nothing of that kind. Of course I should never have married him had I known his circumstances—had I known he was not in a position to keep a wife."

Some hon. gentlemen say "hear, hear" to that. I think that is an extraordinary avowal for a young woman to make, that she was not marrying a man but marrying his property. If the fact that the party married does not turn out to be as well off as the other party to the contract thought before the contract was made is ground for voiding a marriage, there will be a great many marriages voidable. She says:

"I understood I was going home for a while. He gave me to understand he was getting a good salary, and he told me the figures. Had I known he was not in such a position I would never have consented to this."

And ten months afterwards, when she was of age, she recognized the marriage by having her mother told about it. Here we

have, as I say, a marriage as good as ever we entered into, and on what ground are we asked to set that marriage aside? It has not been proved that there was any adultery on the part of the husband; it has not been proved that there was any cruelty, not insinuated that there was, and it has not been proved that there was any desertion. It has been hinted by some one that there was desertion, but there is no evidence of it. As far as we can judge from the woman's evidence at page 6, she refused to live with the man more than he refused to live with her. There is no allegation whatever on her part of desertion. If she had alleged desertion she should be prepared to offer evidence that she was willing to consort with him. These proceedings have been altogether *ex parte*. We have before us now the evidence solely of the petitioner. If we had had the other side of the story we probably would have had a very different kind of case, but even with this *ex parte* statement and with no one representing the husband we have really no ground at all upon which this court could be called upon solemnly to put asunder those people whom God has joined together. If it is sufficient to set aside a marriage because it turns out that the man's circumstances are not quite as good as the woman fancied they were before the ceremony, we shall have plenty of applications I presume. One might almost fancy that some of the reasons which are ridiculed in this country as being held good in the United States courts for granting a divorce would soon be recognized here—the fact that a man's beard is not of the right color, or some similar reason, would soon be held by this court sufficient ground for severing the marriage tie. As I said before, I should not have said anything in connection with this Bill were it not for its extraordinary character. Very strange things have gone abroad about this Senate during the last few months, statements with respect to our mode of transacting business have been published in newspapers, even in England, which are calculated to throw much discredit upon the Senate, but I can fancy nothing that would be more calculated to discredit the Senate than the fact that we had passed a Bill to divorce a couple, simply because after the parties had been validly married the woman found the man was not as well off as she thought he was.