that the Federal Parliament would have the right of legislating on divorce, that power would have been exercised not only by the latter, but by the local legislatures also. The 43rd resolution, article 15, tells us that property and civil rights, excepting those portions thereof assigned to the General Parliament, are to be left to the local governments. It is evident, therefore, that if it had not been stated in the resolutions that the Federal Government was to have the right of legislating on marriage and divorce, that power would have remained vested in the local legislatures.

HON. M. CAUCHON—And if that resolution had not been inserted in the scheme, what would have been the effect?

MR. GEOFFRION—The insertion of that clause places us precisely in the position we should have occupied under a legislative union. By one section of that clause, the Federal Legislature is vested with the power of legislating, not only on the question of marriage and divorce, but also on the civil rights of the French-Canadians. It can, whenever it chooses, attack our civil laws. The hon. member for Montmorency admits that the 43rd clause, and paragraph 15, assure the protection of our civil rights, and says that if that portion of the resolutions had not been inserted, the local legislatures would alone have had the right to deal with the matter. Mr. SPEAKER, a single glance at our civil code is sufficient to convince any one of this. Under article 74 of title 5, I find the following:—"Marriage is dissolved solely by the natural death of one of the parties; so long as they both live, it is indissoluble." If it be true that our French civil law declares that marriage cannot be dissolved by any means whatsoever, nor by any authority; if the right of legislating on marriage and divorce had not been left to the General Legislature, no person could have obtained a divorce and leave to marry again.

HON. SOL. GEN. LANGEVIN—What happens at the present moment?

MR. GEOFFRION—What happens? It is true that the Legislature furnishes us with precedents, but every time that a divorce has been asked from the Legislature, the Catholic members have voted against it. As the resolutions stand, the Federal Legislature may grant bills of divorce, thanks to the insertion of this clause in the scheme. We are told that this has been done in order to remove a danger which already existed in the local legislatures; but a great error has been committed; for, under the new system, any one can make application to the General Legislature and obtain a bill of divorce. And if that right had not been given to the Federal Legislature, it would have been impossible to obtain a divorce in Lower Canada, inasmuch as the majority in the Local Legislature will be French-Canadian and Catholic, and marriage and divorce would be under the control of that legislature. (Hear, hear.) The Honorable Solicitor General LANGEVIN said in his speech—and I fancied that he had much difficulty in explaining the article relative to divorce, that the Catholic members of the Conference were not opposed to that article, and that, though they were opposed to the principle of divorce, he admitted that there were cases in which Catholics were allowed to separate. I cannot help saying, Mr. SPEAKER, that this was a very poor argument for granting to the General Government the power of legislating in the matter of divorce. The same resolution says that the Federal Government is to have the right of legislating on marriage, and the Honorable Solicitor General, in his speech, explains that article as follows:—

> The word "marriage" has been placed in the draft of the proposed Constitution to invest the Federal Legislature with the right of declaring what marriages shall be held and deemed to be valid throughout the whole extent of the Confederacy, without, however, interfering in any particular with the doctrines or rites of the religious creeds to which the parties may belong.

I must acknowledge that the statement is very skilfully made, and to persons who accept it without close examination, I admit that it is calculated to convey the idea that the Government hold that the Federal Legislature cannot decree that a civil marriage is obligatory, and that a marriage must be celebrated under the Catholic or the Protestant Church in order to be valid. But any one who closely examines that portion of the clause will easily see that it cannot possibly be interpreted in any such sense, and that the existence of that clause in the Constitution will enable the Federal Government to enact that civil marriage alone shall be valid, so that children the issue of marriages contracted in the Church and not ratified by a civil magistrate, will be illegitimate. I maintain that the clause is susceptible of no other intrepretation, and I defy the Honorable Solicitor General for