

may be summed up as follows:—The Central Parliament may decide that any marriage contracted in Upper Canada, or in any other of the Confederated Provinces, in accordance with the laws of the country in which it was contracted, although that law might be different from ours, should be deemed valid in Lower Canada in case the parties should come to reside there, and *vice versa*.

HON. MR. DORION—There was no necessity for that provision.

HON. SOL. GEN. LANGEVIN—I have just proved that it was necessary.

MR. ARCHAMBEAULT—I would ask of the Hon. Solicitor General if a marriage contracted in the United States, before a magistrate, and not according to canonical laws, would be deemed valid in Lower Canada?

HON. SOL. GEN. LANGEVIN—It would be so, from a civil point of view, if it were contracted in accordance with the laws of the state in which it was celebrated.

MR. GEOFFRION—If a marriage contracted in the United States is valid here, as a matter of course a marriage contracted in a British colony in conformity with the laws of the country must be valid; therefore the explanation of the Hon. Solicitor General is inadmissible, or the resolution is useless.

HON. SOL. GEN. LANGEVIN—The honorable member for Verchères does not choose to be convinced; so I will make no further attempt to convince him. The resolution in question signifies just what I have stated.

HON. MR. DORION—That is to say, it means nothing at all.

HON. SOL. GEN. LANGEVIN—I beg your pardon, it means that a marriage contracted in no matter what part of the Confederacy, will be valid in Lower Canada, if contracted according to the laws of the country in which it takes place; but also, when a marriage is contracted in any province contrary to its laws, although in conformity with the laws of another province, it will not be considered valid. Let us now examine the question of divorce. We do not intend either to establish or to recognize a new right; we do not mean to admit a thing to which we have constantly refused to assent, but at the Conference the question arose, which legislature should exercise the different powers which already exist in the constitutions of the different provinces. Now, among these powers which have been already and frequently exercised *de facto*, is this of divorce. As a member of the Conference, without admitting or creating any new right in this behalf, and while declaring, as I now

do, that as Catholics we acknowledge no power of divorce, I found that we were to decide in what legislative body the authority should be lodged which we found in our Constitutions. After mature consideration, we resolved to leave it in the Central Legislature, thinking thereby to increase the difficulties of a procedure which is at present so easy. We thought then, as we still think, that in this we took the most prudent course. The following illustration will prove this still more forcibly. It is known to the House how zealous a partisan the honorable member for Brome (MR. DUNKIN) is of the cause of temperance. Well, we will suppose that the honorable gentleman were present as a member of a municipal council in which it was to be decided whether all the taverns in a very populous part of the parish, which could not be suppressed, should be banished to a remote corner of the parish, where they would no longer be a temptation and a stumbling-block; would he not vote for such a measure? Would he not send them to a place where they would be least accessible to the population, and would he not think he had done a meritorious act, an act worthy of a good friend of the temperance cause? Just so in a question of divorce; the case is exactly analogous. We found this power existing in the constitutions of the different provinces, and not being able to get rid of it, we wished to banish it as far from us as possible. One thing it would be vain to deny, namely, that although we, as Catholics, do not admit the liberty of divorce, although we hold the marriage bond to be indissoluble, yet there are cases in which we both admit and require the annulling of the marriage tie—in cases, for instance, where a marriage has been contracted within the prohibited degrees without the necessary dispensations. An instance of this occurred very recently. A few months since, an individual belonging to my county, who had married a young girl of a neighboring parish, without being aware at the time of his marriage of the relationship which existed between him and his wife, found out several months afterwards that they were related in such a degree that they required a dispensation from the bishop. That dispensation had not been obtained. He spoke of it to his wife, who refused to apply for a dispensation, as a step towards the legal celebration of their marriage. It became necessary, therefore, to have the marriage annulled. The affair was brought before the Ecclesiastical Court, and, after a minute investigation, the diocesan