

6th Day.]

RECIPROCITY DESTITUTE PERSONS LAW.

[9 June, 1911.]

Dr. FINDLAY—*cont.*

ing with the further operation of awards. In the meantime I should like the principle that I have now sufficiently outlined to be affirmed, that as far as possible reciprocal operation should be given to orders made in this class of cases. I think it will be generally admitted that where a man deserts his wife and children there ought to be given the very fullest facility to the deserted wife and children to make him responsible for their maintenance. The objections raised in this memorandum, which I have read very carefully, we have found in practice to be wholly illusory. There is nothing substantial in them. We have had the same law with regard to proceeding without service on the defendant, giving him power to come in afterwards and show that the order should not be made. The dangers mentioned here can be quite well provided against by some such provision. I impress on the Conference that this is not an isolated step, but a step in common with a number of places which I think should be taken, and I would urge that it would be a great help to deserted wives and children in New Zealand, as I believe it would be in this country.

Sir WILFRID LAURIER: The principle seems to be right, but the difficulty of coming into line as far as Canada is concerned is that the administration of justice in our Dominion is within the powers of the local Legislatures. I have no objection to passing the resolution, for my part, or on the part of my colleague, but the form of putting it into practice is a matter which would have to be relegated to the Provinces and not the Dominion.

Mr. FISHER: I like the sentiment and purpose of this proposal, and I think it would be a good thing if we could have a federal law, or a law embracing the United Kingdom and all the self-governing Dominions at least, that would cover the points raised by Dr. Findlay. As I understand it he wishes to be able to recover from people who have deserted their wives or their children, by some simple process of law. I agree with the idea; I think not only that it would be just, but I think we would be protecting our own communities against people who are manifestly dishonest or even worse than dishonest, who desert their own issue and their own kith and kin. I would suggest, however, that you do not put it in the form in which it is here. I do not think it is wise to refer to the "Poor relief burdens of the United Kingdom." Would it not be advisable to make it read in the general terms of justice, that is: "That in order to protect wives and children of the United Kingdom and her dependencies with respect to" &c. I do not think we have anything to do with the poor relief burdens of the United Kingdom, that is really their business.

Sir JOSEPH WARD: There is no objection to altering it in that direction at all.

Mr. FISHER: I think that is better and clearer, because if we begin in our Dominions fighting law cases to satisfy the poor law guardians here, we shall have a larger order than I think Dr. Findlay and Sir Joseph intended. We wish to do substantial justice to the wives and children of people who have come to our countries or who may have left our countries and may have come to the United Kingdom and who are well able to provide for their dependants. We want a simple process of law by which deserters shall be compelled to do what worthy citizens would do to support a dependent wife and child living in the same country, and which they would be compelled to do if they were living in the same country under the same law.

Mr. MALAN: The matter in the Union of South Africa is this, that before the Union, we had in the four Provinces laws dealing with the desertion by the responsible heads of families of their dependants, and we have not yet legislated in the Union Parliament on this matter. In the Transvaal and the Orange Free State the Government is empowered to obtain reciprocal regulations providing for the recognition and enforcement in those Provinces of