

from my mind; but I think I am sincere and serious enough to admit that we are bound to have to come in the near future to the necessity for some modification of our present system, and that in one way or another we shall have to face the issue. Why not let us face it immediately?

I beg honourable senators to accept my suggestion for the appointment of an investigating committee. I make the suggestion with profound respect for the opinion of others, and in particular for that of all the members of the Divorce Committee who do so great and important a work. At the same time, I would add this. It is true, as the honourable senator from De la Durantaye said, that the members of the Divorce Committee devote considerable time to the work, and they are among the ablest senators we have in this house. However, when they are engaged in this work we do not have the advantage of their ability in dealing with public legislation which comes before us for consideration. We do not see these senators on other committees often enough. I say this without reproach, but with deep conviction, that among all the senators here none impress me more than those who see it as their duty to sit on divorce matters and do a work which, though important, is yet very tedious. But I do not feel it is the right way to deal with the problem. I leave the issue in the hands of honourable senators.

Hon. Calvert C. Pratt: Honourable senators, I hesitate to speak on the subject of divorce, because I have not participated in the onerous duties that some honourable senators have undertaken in this matter. I agree entirely with what has been said as to the appreciation we should show, and do show, toward those who give of themselves unsparingly to the work of the Divorce Committee. However, I feel that we should seriously consider the present system for dealing with divorce petitions and try to provide one that would be more generally acceptable. I submit it is not in keeping with the traditions and duties of the Parliament of Canada for members of the Senate to devote so much of their time to hearing evidence and adjudicating on the marital troubles of individuals.

Some years ago I made a brief reference in the Senate to this subject and I shall repeat the essence of what I said at that time. I do so because some honourable senators who have spoken this evening have suggested that the time has come to present ideas as to how this problem can be dealt with. We could debate this subject year after year and get nowhere, while the work kept piling up until in time the sheer weight of numbers of cases would force it out of the jurisdiction of this chamber. The suggestion I made formerly was this:

Recognizing that divorce is a matter of parliamentary responsibility, we should set up a body of paid officials outside the membership of this house to investigate cases, hear evidence, and present findings to a committee of the Senate. Parliament would then pass on the recommendations presented to the committee, and it would not be necessary for honourable senators to hear the evidence in each case. The members of such a body would probably be drawn from the legal profession, and the fees that are paid now would probably be ample to cover the cost. A committee of members of the Senate, instead of reporting their findings for the consideration of Parliament, would consider the report and recommendations of a paid professional body. The evidence could be printed for review if necessary and much of the present procedure could be followed, but individual senators would be relieved of the burden of hearing evidence in and passing judgment on hundreds of cases.

That is the suggestion I have to make, honourable senators. It may not be entirely complete in all its implications but I trust it will be regarded as worthy of consideration.

Hon. Paul H. Bouffard: Honourable senators, I have had the privilege in the past of sharing in the discussion about the proposed establishment of divorce courts in the provinces of Quebec and Newfoundland. I was moved at that time by the sincerity of all those who spoke on this very difficult subject.

I am always a bit uneasy about speaking on the subject of divorce, knowing, as I do, of the conscientious work which the members of the Divorce Committee are doing. I have great respect for all members of the committee, who volunteer their services. I have great respect for the work done by the former chairman, the Leader of the Government in this house (Hon. Mr. Aseltine), and for the present chairman, the honourable senator from Toronto-Trinity (Hon. Mr. Roebuck) who has served in that capacity for the past five years. The work of these honourable gentlemen deserves nothing but commendation.

The fact that some of us do not help with the work of this committee makes me uneasy to speak about it. As the chairman of the committee and as the Leader of the Government know, this matter has been discussed very often. I have tried my best to find some solution of the problem. First, I attempted to get into a position where we could help with the work of the committee; unfortunately, that could not be arranged. Up to the present time members of the Roman Catholic Church have not taken part in the work of the committee.