

work of the members of this house who dispense justice in the hearing of divorce cases. I do not think anybody in this house doubts that.

I go a little further and say that I now know personally many of the senators who sit on the committee, and I judge them all by the chairman, the honourable senator from Toronto-Trinity (Hon. Mr. Roebuck). He is not a young man; he is not a precipitate man. In this work his reports are not only always fair and based on the evidence, but are also in accordance with the law which allows this committee to pronounce on divorce petitions and forces the Senate to consider them.

I should like to touch on another issue of importance. It is suggested in some quarters that Quebec should have its own divorce courts. However, under the Constitution, that is a matter left for the provinces to decide, and we from Quebec do not think we are in a position to accept such a suggestion. Furthermore, we do not feel that that suggestion would be accepted in Quebec. Some may honestly believe this stand on our part is wrong; others may honestly believe it is right. However, our religion does not favour divorces. We do not feel that marriages should be dissolved by courts, neither do we believe they should be broken by the authority of the Senate. Yet, it is the law under our Canadian Constitution, and we have to abide by it. I do not think any of us would dispute the authority of this house in considering petitions for divorce and in relieving the parties after the hearing of evidence.

The framers of our Constitution provided a remedy for people in Quebec seeking divorce, by giving authority to the Senate to hear their petitions, because it was felt that the province of Quebec should not be forced to have divorce courts if it did not want them. Now we are living in times when hundreds of divorce petitions a year are presented to the Senate and the number is continuing to increase. It has become an onerous task. I do not think I am wrong when I anticipate there will come a time when we shall no longer be able to meet the situation, and therefore it might be well to think now of another remedy. The remedy would not be to have divorce courts in the province of Quebec, for that would only create dissensions. I do not think we should be forced to that solution. However, I am one of those who do not believe that the hearing of divorce petitions in either the Senate or in courts set up in Quebec is the correct solution. Being a relatively new senator in this house, I do not think I am qualified to make suggestions. Like those of the Jewish tradition, I prefer to leave it to a committee of our

elders, who in their wisdom and experience could study the problem calmly and try to find a better solution than exists at present.

Now, a suggestion of the honourable senator from De la Durantaye may appear unconstitutional or unwarranted under our system of law. It was that petitioners from Quebec and Newfoundland be allowed for divorce purposes to establish temporary residence elsewhere. I am not in favour of that. I think what the honourable senator meant was that a domicile in another province might be acquired for a time, and that after a certain number of months of residence there the petitioner might be qualified in law to show that his domicile was established for the time being in that province, whether it be Ontario, Saskatchewan, Alberta, or some other province. I am sure that the honourable senator did not mean that such persons should be allowed to establish domicile illegally, or in a permanent manner, as perhaps was suggested.

We in Quebec do not want to accept the idea of a tribunal to pass on divorce cases. And no doubt the courts in other provinces would be annoyed if, in addition to the work already imposed upon them, they were required to pass on divorce applications of people who might appear to be legally domiciled in their provinces, but who, to all intents and purposes, remained domiciled in the province of Quebec or Newfoundland.

What, then, should be offered as a remedy? I would not say at the moment. But I earnestly think that a committee composed of members of both sides of this house could be formed to study this matter, in an endeavour to find a remedy, because ten years from now we shall have 500 bills of divorce each session, and perhaps more.

Hon. Mr. Thorvaldson: We have nearly 500 now.

Hon. Mr. Monette: I thank the honourable senator for correcting me.

I am sorry to say that some people honestly feel the province of Quebec should be forced to have divorce courts. This would not be a proper remedy, for it would cause considerable discussion in Quebec and perhaps some turmoil throughout the country. I do not fear there will be any legislation of that kind. Let us in Quebec be free to think in our own way, that marriage should be maintained and should not be dissolved. I am one who feels that some people live in terrible circumstances; they are tied together for life by bonds of matrimony, and their plight is very serious. But I am not going to suggest a remedy; I am not going to suggest anything that could be construed in my province as approval on my part of dissolution of marriage by the courts. Such a conclusion is far