

## THE SENATE

Wednesday, January 31, 1951

The Senate met at 3 p.m., the Speaker in the Chair.

Prayers and routine proceedings.

### DIVORCE COMMITTEE

#### REPORT OF COMMITTEE OF SELECTION

**Hon. A. K. Hugessen** presented and moved concurrence in the following report:

The Committee of Selection appointed to nominate senators to serve on the several Standing Committees for the present session, have the honour to report herewith the following list of senators selected by them to serve on the Standing Committee on Divorce, namely:

The Honourable Senators Aseltine, Baird, Campbell, Euler, Farris, Fogo, Gershaw, Golding, Horner, Howard, Howden, Hugessen, Kinley, Roebuck, Ross and Stevenson. (16)

**Hon. John T. Haig:** Honourable senators, before the motion is put, I should like to make one or two brief comments about the work of the Divorce Committee. At the meeting of the Committee of Selection this morning it was unanimously agreed that the Divorce Committee should endeavour to hear all its cases before the Easter recess. I am heartily in agreement with this policy and, as a member of the Committee of Selection, I would warn all lawyers who appear before our Divorce Committee, particularly those from Quebec, and perhaps Newfoundland, that they had better have their cases ready to be heard before the Easter adjournment. These lawyers are given ample notice to enable them to prepare their cases, and if they are not ready to proceed before Easter, and the temperament of the Divorce Committee should happen to be the same as that of the Committee of Selection, these cases will not be heard this year. I understand that the Divorce Committee is to sit four days next week and five days the following week in an attempt to clear up its work at an early date, so that its members will be free to attend the meetings of our other Standing Committees.

After much persuasion by the honourable leader of this house (Hon. Mr. Robertson) and myself, the honourable senator from Rose-town (Hon. Mr. Aseltine)—my deputy and associate in this chamber, whose services I greatly appreciate—has consented to serve for a further period on the Divorce Committee. However, his decision was reached upon the definite understanding that he would not be asked to perform any duties in connection with the Divorce Committee after

the Easter recess. I know also that the other members of the Divorce Committee feel as he does.

I have never found anyone in this house who wishes to see the granting of divorces by parliament continued, but as yet no other method has been found. The lengthy sittings in the provincial courts across Canada make it reasonably easy to have a divorce hearing postponed for two or three weeks because of the absence of important witnesses, and so on, but the situation here is not the same, especially as honourable senators are performing a duty which they do not find pleasant. Opinion across Canada, and especially in this chamber, is that divorce by the Senate is an imposition on the Parliament of Canada.

Again I want to voice the view that lawyers who have cases to come before the Divorce Committee of the Senate, and ultimately before the House of Commons, had better be ready to proceed between now and Easter; otherwise, as I gathered from the temper of this morning's meeting, they will not be heard till next session.

**Hon. Mr. Hardy:** Can the honourable leader opposite state whether the Divorce Committee will be able to expedite matters by sitting in two or three sections simultaneously?

**Hon. Mr. Haig:** I can answer that question, because we had it before us this morning. Theoretically there could be a section of the committee for every three members, but the committee clerks inform us that our present equipment, reporters and other staff, are sufficient to take care of only two sections. I believe that already there are about 300 applications in; and if the committee sits in two sections, five days a week, we ought to be able to take care of that number between now and the Easter adjournment. As will be seen from the notices on the back of the Order Paper, the committee is getting down to work right away, with its first hearings set for Tuesday next and others following on Wednesday, Thursday and Friday. I have no doubt that this chamber would authorize further appointments to the staff if it were thought necessary for the committee to split into more than two sections; but the present view is that two sections can handle the business.

The motion was agreed to.

#### MOTION OF APPOINTMENT

**Hon. Mr. Robertson:** Honourable senators, with leave of the Senate I move:

That the senators mentioned in the report of the Committee of Selection as having been chosen to