

*Private Bills—Divorce*

**Mr. Reinke:** Are you referring to the members of that committee as a kangaroo court?

**Mr. Castleden:** I said it would be a sort of kangaroo court.

**Mr. Reinke:** Mr. Chairman, I would ask that that statement be withdrawn, because I submit it is disrespectful to members of the committee who sat hearing this divorce case.

**Mr. Castleden:** My opinion of the way that court has been carried on there is—

**The Chairman:** Order.

**Mr. Reinke:** I would ask the hon. member to withdraw that expression. It is disrespectful to the members of the committee.

**Mr. Castleden:** I do not have to do what you tell me to do, fortunately.

**The Chairman:** Order.

**Mr. Castleden:** No disrespect was intended to the members of parliament who sat on that committee.

**Mr. Reinke:** You have said yourself that it was our little kangaroo court.

**Mr. Castleden:** No disrespect was intended.

**The Chairman:** Order. I must apologize to the committee. I apparently missed some words which were used by the hon. member for Yorkton. If I had apprehended them at the time they were used, I would have drawn them to his attention. If he referred to any group of members of this house or any committee of this house as a kangaroo court, then, having regard to the general understanding of the expression "kangaroo court", I think he must withdraw those words.

**Mr. Castleden:** Mr. Chairman, I want to assure you that if I have used any words which may have been considered as disrespectful to the members of this house and to the members of the committee, I am quite willing to withdraw them. In substitution for the words "kangaroo court", I would say it is a court that I consider to be a most improper court.

**The Chairman:** Order. Does the hon. member wish to leave on the record of *Hansard* an imputation that any committee of this house is an improper court? I am sure the hon. member, on reflection, will also wish to withdraw those words. I am not going to direct him to do so because I do not think the word "improper" is unparliamentary. However, I do not believe he is showing proper respect to this house of parliament when he uses that language.

**Mr. Castleden:** I still maintain that I do not think it is a proper court, but I shall be glad to withdraw the word if it will satisfy the chairman.

**Mr. Cameron (High Park):** First of all I wish to thank the hon. member for MacKenzie for the fairness with which he presented his case. I do not think he presented all the evidence and weighed it as a committee of this house should have it weighed for them when dealing with this matter.

The hon. member for Yorkton used the words "impartial judge". I was almost on the point of getting to my feet to find out whether he was suggesting that I was not an impartial judge, having acted as chairman. However, on reflection I decided he did not mean that.

I think this committee should know the procedure followed by the committee on miscellaneous private bills. The petitioner and the respondent were both present. They were both represented by counsel. Both counsel had an opportunity to examine their witnesses and to cross-examine the witness on the other side. Each member of the committee was given an opportunity to ask any questions he desired of the witnesses. When the case was concluded, counsel for both sides were given a chance to sum up the evidence and make their observations and their appeal to the committee. After counsel had done that, then the committee members were given an opportunity to discuss the merits of the case and make up their own minds. This was the procedure followed, and I think it was fair and impartial.

May I say, Mr. Chairman, that as acting chairman of the committee on that occasion I made no observations whatever. I took no part in the proceedings except to rule. I did suggest to the committee that they had three alternatives to consider. First of all they could believe the evidence of the witnesses for the petitioner. Second, they could believe the witnesses for the respondent. Whichever set of witnesses they believed, that would be the judgment they would have to make. If they were in any doubt, then they should dismiss the petition.

Some suggestion has been made and I think probably there has been an implication of some unfairness to the petitioner. One of his witnesses had become pregnant while living at his home. The evidence given by both the petitioner and the respondent was that the doctor was asked to take care of her and this child. In other words the respondent asked her husband to fulfil his functions as a physician in respect to this particular witness. Then the hon. member