

THE SENATE

Tuesday, October 16, 1962

The Senate met at 8 p.m., the Speaker in the Chair.

Prayers.

DOCUMENTS TABLED

Hon. A. J. Brooks tabled:

Report of the Department of Agriculture for the fiscal year ended March 31, 1962, pursuant to section 6 of the Department of Agriculture Act, chapter 66, R.S.C., 1952. (English text).

Statutory Orders and Regulations published in the Canada Gazette, Part II, of Wednesday, October 10, 1962, pursuant to section 7 of the Regulations Act, chapter 235, R.S.C., 1952. (English and French texts).

Report of Expenditures and Administration in connection with the Family Allowances Act for the fiscal year ended March 31, 1962, pursuant to section 14 of the said act, chapter 200, R.S.C., 1952. (English and French texts).

Report of Expenditures and Administration in connection with the Old Age Security Act for the fiscal year ended March 31, 1962, pursuant to section 12 of the said act, chapter 200, R.S.C., 1952. (English and French texts).

Report of agreements made under the Agricultural Products Co-operative Marketing Act for the fiscal year ended March 31, 1962, pursuant to section 7 of the said act, chapter 5, R.S.C., 1952. (English and French texts).

Report on the administration of Part I of the Royal Canadian Mounted Police Superannuation Act for the fiscal year ended March 31, 1962, pursuant to section 25 of the said act, chapter 34, Statutes of Canada, 1959. (English text).

Form of General Agreement under the Agricultural Rehabilitation and Development Act between the governments of Canada and of the provinces, as approved by Order in Council P.C. 1962-1291, dated September 14, 1962. (English and French texts).

NEW SENATORS

QUESTION OF PRIVILEGE

Hon. Jean-François Pouliot: Honourable senators, I rise to a question of privilege. As I was coming into this chamber I met one of our esteemed colleagues who is not

among the new appointees of this chamber, and he said to me, "Why do you give us names?" I was dumbfounded. I never gave any senator a name other than his own, or that of his constituency, or his district. But I must bring your attention, honourable senators, to the fact that there is an immense difference between an affirmation and a question. A question is easy to recognize, especially when it is qualified as such—"I am going to ask you a question." Then to continue, the rules of grammar are the same in the English as in the French language. An inversion shows that a certain number of words are not an affirmation but a question.

Therefore, I have nothing to withdraw and I hope everybody will understand that I have not called any of my colleagues a Trojan horse, but I have asked of the new appointees if there were any Trojan horses amongst them. It makes all the difference in the world.

And now to continue to elucidate the matter, may I add that there is nothing offensive in comparing anyone to the Trojan horse, a big thing made of wood, that was used in olden times to carry soldiers into a fortress. Those who want more information on the subject could re-read a chapter of the Iliad, by Homer, the renowned Greek poet, who is always fascinating.

MARRIAGE AND DIVORCE

INQUIRY AS TO ANY REQUESTS OR REPRESENTATIONS FOR AMENDMENT OF BRITISH NORTH AMERICA ACT WITH REFERENCE TO LEGISLATIVE JURISDICTION RE MARRIAGE AND DIVORCE

Hon. Jean-François Pouliot gave notice that on Wednesday, October 24, he will inquire of the Government:

Referring (a) to the first seven words of section 129 of the B.N.A. Act, 1867, about the continuance of pre-Confederation existing Laws, Courts, Officers, etc., namely, "Except as otherwise provided by this Act",

—(b) to "the exclusive legislative authority of the Parliament of Canada" extending to *marriage and divorce* in virtue of subsection (26) of section 91 of the said act, with the exception of the exclusive powers of Provincial Legislatures to make laws "for the solemnization of marriage", in virtue of subsection (12) of section 92 of the said act, and

—(c) the interpretation of the said law by the Supreme Court of Canada and the Privy Council on appeal from the Supreme Court of Canada in the matter of a reference to the Supreme Court of Canada of certain questions concerning marriage, (1912 A.C., p. 880)—