

which was as clear as crystal—and I hope that it will be accepted—is this: putting ourselves in the place of the Fathers of Confederation, let us go back the ninety years to the time when there were just a few divorces. Some years there were none, in other years there were two and in other years, one. Let us put the average at five a year at the time of Confederation.

Coming back to the present, to 1957, we must take into consideration another point, the increase of population, a fourfold increase since 1867. Now looking at the question as it was seen in the minds of the Fathers of Confederation, my idea is to multiply the average number of divorces at the time of Confederation by four, the number of times the population has increased, and that would mean that each year the Senate Divorce Committee would hear twenty petitions for divorce. That is my suggestion. And if my honourable friend who has been doing so much as Chairman of the Divorce Committee (Hon. Mr. Roebuck) asks, "What can we do, seeing we have 400 petitions a year?", I reply: "Well, the thing is simple. If you consider 20 divorce petitions a year, and if 400 petitions are filed, then there will remain 380 on the waiting list for next session."

Hon. Mr. Horner: Would the honourable member tell us how he would select the 20 out of the 400?

Hon. Mr. Pouliot: In numerical order. And that would be fair—first to come, first to be judged. That would discourage applicants, and the whole question would be solved.

There was another suggestion, which was made by no less a jurist than the present Leader of the Opposition in the House of Commons. He suggested that as most divorce petitions come from the province of Quebec, all the applicants from that province should in the first place be required to obtain a judicial separation from bed and board from the Superior Court of the province of Quebec, which requirement would reduce considerably the number of divorce petitions. And not only that, but each applicant would have to file with his petition for a divorce a certified copy of the judgment of the Superior Court.

Well, those are two suggestions, honourable senators. If my honourable friend insists, I will give him some more in due course.

Hon. Mr. Roebuck: That will do for the moment.

Hon. Mr. Macdonald: Honourable senators, before the question is put may I ask the mover of the motion (Hon. Mr. Aseltine) if this committee is composed of the same number and the same members as last session.

Hon. Mr. Aseltine: Yes, exactly.

Hon. Mr. Macdonald: Are there some vacancies still on the committee?

Hon. Mr. Aseltine: There are quite a number.

Hon. Mr. Macdonald: I am glad to hear that. I am rather disappointed that there have not been some names added. When I realized that there were a number of new senators joining us this session, I hoped that at least some of them would see their way clear to consent to sit on the Divorce Committee. I can only express the hope that, when other honourable senators are appointed, some of them will serve on this committee.

Hon. Mr. Aseltine: The object of having these vacancies is that other members can be appointed when the senatorial vacancies are filled.

The motion for consideration of the report was agreed to, and on motion of Hon. Mr. Aseltine the report was adopted.

APPOINTMENT

Hon. John T. Haig, with leave of the Senate, moved:

That the senators mentioned in the report of the Committee of Selection as having been chosen to serve on the Standing Committee on Divorce during the present session, be and they are hereby appointed to form part of and constitute the said committee to inquire into and report upon such matters as may be referred to them from time to time.

He said: The purpose of the motion is simply to enable the Divorce Committee to get together and organize. The Senate does not appoint its chairman; the committee appoints its own. Also the committee will have an opportunity to arrange dates for hearings of divorce cases. Hearings cannot be held before the 28th of this month, but the persons concerned can be notified that hearings will take place on and after that date. Quite a little work is involved in making these arrangements. As a former chairman, I understand that very clearly. I do not think there can be any objection to the adoption of an arrangement which worked very well last session and will, I am sure, be useful this session.

Hon. Mr. Macdonald: I agree with what the honourable Leader of the Government (Hon. Mr. Haig) has said, but am I to understand the latter part of the motion to mean that matters other than divorce can be referred to the committee?

Hon. Mr. Haig: No, just matters which relate to the Divorce Committee. I am dealing only with the Divorce Committee, because it is desired to give that committee a chance to get organized.