

and practically all of whose time is taken up with the work of the Committee. Divorces could be tried by a single Judge, assisted in some cases by a jury. In Ontario a Supreme Court Judge receives \$9000 a year. Moreover, these Senators are sent to Ottawa presumably to deal with matters affecting the country as a whole—not the troubles of individuals. Their business should be affairs of state. The above figures do not take into account the cost of having the bill before each House 3 times, with the Members of Parliament each drawing \$4000 a session and always pressed for time.

In the next place there is from the decision of Parliament no appeal. True another petition supported by fresh evidence may be presented at a subsequent session; but on a finding on a question of law or fact, there is no appeal. The advantages of a system of appeal in judicial matters is too widely recognised in practice to warrant further discussion here.

The chairman of the Senate Committee on Divorce is always a lawyer; usually 3 or 4 of the other members are lawyers; another 3 or 4 are doctors; and the remainder are anything. Could a body less suited for the trial of such actions be imagined, especially as the capability and certainly the training of the chairman to act in the advisory capacity of a Judge may often be questioned? The body can not be likened to a jury, nor will it be so regarded by many applicants or respondents; the Senators are not the peers of many of the parties who come before them. The poor man who goes before a Court and asks for a jury feels that he will have the opinion of men much in his own station of life; if he does not ask for a jury, he relies on the legal training of the Judge. On the occasion of the second reading of the bill introduced by Mr. Nickle (Kingston) in 1920, providing for the establishment of Divorce Courts, Mr. Steel, the Chairman of the Private Bills Committee said: ".....The greatest evil is that under the present system divorces can be obtained and are being obtained on evidence which...would not be accepted divorces granted during the present year which no Judge or lawyer entrusted with the examination of witnesses would have been disposed to grant for one moment." The Divorce Committee apparently recognises the necessity of making their proceedings resemble those before a Court of law—e.g., their examination of witnesses and insistence on proof of points of law—then surely the matters should be disposed of by a competent Court of law, instead of by a mere make-believe Court.