

THE SENATE

Wednesday, October 17, 1962

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

Prayers.

EXPORT CREDITS INSURANCE ACT

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-63, to amend the Export Credits Insurance Act.

Bill read first time.

Hon. Mr. Brooks moved that the bill be placed in the Orders of the Day for second reading on Tuesday next.

Motion agreed to.

PRIVATE BILL

THE NORTH AMERICAN GENERAL INSURANCE COMPANY—FIRST READING

Hon. A. K. Hugessen presented Bill S-6, respecting The North American General Insurance Company.

Bill read first time.

Hon. Mr. Hugessen moved that the bill be placed on the Orders of the Day for second reading on Tuesday next.

Motion agreed to.

DIVORCE

REPORTS OF COMMITTEE—MOTION FOR ADOPTION

Hon. Arthur W. Roebuck, Chairman of the Standing Committee on Divorce, presented the committee's reports Nos. 2 to 306.

He said: As honourable senators will observe, these 305 reports are on the table for any honourable senator to read.

The Hon. the Speaker: Honourable senators, when shall these reports be taken into consideration?

Hon. Mr. Roebuck: With the consent of the house, I move that the reports be considered now. Perhaps I may make some remarks in connection with them at this point.

These are the cases in which bills were passed by this house at the last session. They then went to the House of Commons and, as honourable senators will remember, they died on the Order Paper—327 of them.

These are the cases that have not been settled, including one in which the respondent is now deceased, another in which a petitioner has decided not to proceed, and some 19 in which the petitioners have not complied with the requirements of continuance. So there are 325 that are ready now to be re-processed and sent over to the House of Commons.

I should say a word about the way this has been handled, at very considerable expenditure of time and with much difficulty. We passed a resolution, the vital point of which is:

Resolved to report recommending that the Parliamentary fees paid upon the petitions at the last session apply to the petitions of this session without further payment, and that the advertising and service made for the last session be accepted as sufficient compliance with the Rules for the present session.

That was done in a general way because there was no desire to make fish of one and flesh of another. The rule will apply to all alike, but each case has been handled individually because there is a separate bill for each one which becomes a separate act of Parliament.

We gave notice to the parties immediately after the last session that at the beginning of this session, if they wished to proceed, they would have to notify us to that effect. In every one of these cases you will find a request that reads in these words:

Please be advised that your petitioner desires to proceed with the said Petition and Prayer contained therein.

A good many months have gone by since the petition was first presented and the evidence taken, and therefore care has to be taken to see that we do not cause a bill of divorce to be enacted where the parties have come together and the offence has been condoned, and thus interfere rather than help. In each one of these cases you will find a solemn declaration which reads as follows:

1. That I am the Petitioner named in the above mentioned petition.

2. That I have not since the date of my declaration verifying the said petition condoned the marital offence or offences of the Respondent which I have alleged therein, nor have I since the said date had marital relations or lived or cohabited with the said Respondent.

And I make this solemn declaration conscientiously believing it to be true, knowing that it is of the same force and effect as if made under oath, and by virtue of the Canada Evidence Act.