

come from and where they have been married, and so on, and so on, and so on. If the Senate were to change the rules of the Divorce Committee and then instruct the Clerk to notify petitioners that they should try their luck in another province to have a divorce we would have the advantage of the full association of our colleagues, for whom I have the greatest regard and admiration, and then we would be able to work together for better legislation in the Senate Chamber. I do not say that to depreciate any one of my colleagues; I want to be clear about that. I know that what they do is painstaking, ungrateful, tiresome, et cetera, et cetera, et cetera. I know that. But on the other hand I think that they would be happier and they would have the sense of doing their duty when they would not be required to attend to that job, which they perform to the best of their ability.

Hon. Mr. Aseltine: Honourable senators, the suggestion made by the honourable senator from De la Durantaye (Hon. Mr. Pouliot) would not work at all. How could a person domiciled in the province of Quebec start an action for divorce in the province of Ontario?

Hon. Mr. Macdonald: Why select Ontario? Why not select Saskatchewan?

Hon. Mr. Aseltine: I am just giving an example.

Hon. Mr. Haig: Let him come to Manitoba if he would like to.

Hon. Mr. Aseltine: How could a person domiciled in the province of Quebec start a divorce action in the province of Ontario or in any other province when the law of every province that has a divorce court requires the petitioner to be domiciled in the province before the court has any jurisdiction to hear his case?

Hon. Arthur W. Roebuck: Honourable senators, as far as I can make out, my friend does not suggest that a false domicile be secured by anyone, or that the law be changed to give domicile elsewhere than in the province of Quebec to people who reside there. As far as I can follow what my friend said, it was that people claimed domicile in the province of Quebec when they did not properly possess it, in order to present a petition to Parliament.

Hon. Mr. Aseltine: I did not get that meaning out of what he said.

Hon. Mr. Roebuck: I think that is what he suggested.

Hon. Mr. Aseltine: That would cover only the odd case.

Hon. Mr. Roebuck: It would be a very odd case. I have never yet seen a case where I doubted a domicile because of the evidence that was given. No vigilance on our part in that regard would bring about any reduction in the number of petitioners, and certainly it would not be advisable to change the law to permit a petitioner to claim a domicile other than his true one, because that would be contrary to all the traditions of our courts.

Furthermore, I do not suppose there is anybody in one of the provinces where there is a divorce court who would petition Parliament for a divorce, because it is very much more expensive to get a divorce from this jurisdiction than it is from a provincial court.

My friend expresses regard for the work done by the Divorce Committee, and for that I thank him. The committee has never had any reason to complain of the appreciation of this house, which has been expressed on many occasions, and I can assure honourable members that their attitude goes a long way toward satisfying the members of the committee in the task which they perform. They highly appreciate the attitude of their fellow senators in this regard.

My friend attacks the cases as being similar. Well, it must be borne in mind that every application for divorce is for the same remedy, and that every one of the petitions is supported by the same allegation—commission of adultery—so there would necessarily be a similarity between every case. But if my friend suggests there is a great similarity between the evidence that is presented in each case and which the members of the committee are called upon to weigh, he is in error. My friend has never sat in the Divorce Committee or he would realize that each case is separate and distinct, concerned with human beings and all the complications that may arise in married life. I can assure him that every case that comes before our committee or its various subcommittees is listened to with the greatest of care and not handled in a routine way at all. Every case is considered on the merits of the evidence presented, and the evidence in any one case is different from that in every other case. Numerous problems come before us as we hear these cases, real problems, which we are called upon to solve and with which this chamber very seldom is acquainted.

The committee is nearing the conclusion of its sittings and we have almost reached the bottom of the barrel. At the last sitting, which was on Monday of this week, only 13 cases were ready to be heard. We could have handled a good many more than that. We are sitting again tomorrow, but I do not