

*Private Bills—Divorce*

and asked if she recognized it. She replied in the affirmative and identified the document as her marriage certificate. That certificate was then filed as exhibit No. 1. Thus we can take it, without question, that the marriage did take place, and this very important part of the petition is proved.

It is also indicated in the petition that there are two children born of the marriage, and questions were asked of the petitioner by a Mr. Blank. Perhaps I might indicate, for the benefit of the *Hansard* reporter that that is the actual name of the lawyer, Mr. Blank, and is not a substitute word such as we often use in place of the real name of an individual involved in some of these cases. Mr. Harry Blank is the counsel who appeared in this case and he asked questions about the children, as appears on page 10 of the report, as follows:

Q. Are there any children born of this marriage?

A. Yes, two.

Q. What are their names and ages?

A. My son—is 20. He was born in 1939. My daughter's name is—. She was born in 1945.

Q. When is the last time you lived together with your husband?

A. 1949.

Q. You have been separated for approximately 10 years?

A. Yes.

The next group of questions, with the exception of the last one which I read, do not relate directly to the children themselves but to the situation existing in the household leading up to the reason for separation. I should like to expand a little further on the subject of the children and consider the situation in which they find themselves at the present time. As to the son who, as stated in the evidence is now in Israel, I would assume he is probably not directly in need of care and maintenance by either of the parents; he is probably in employment or in the armed forces in that part of the country. The daughter, however, being with the mother and being now of the age of 15, is probably in need of care and maintenance such as children of that age require. The question is asked on page 11 by the chairman of the subcommittee, Senator Barbour:

Q. Do you have the children?

A. Yes, sir.

I suppose that even though the question is framed in the plural, the answer in fact relates to the one child who is in the care of the mother. The next question is:

Q. Does your husband contribute anything towards their keep?

A. He did, not too much.

One can draw the conclusion from that that the children have not been cared for too well as far as financial support is concerned. Subsequent questions asked by Mr.

Blank the lawyer, while they do not specifically mention the children themselves do indirectly have some bearing on this question:

Q. Did you ever have your husband arrested for non-support?

A. Yes, sir. I had a hard time to get any money from him.

Then there is one other question about some legal proceedings which were taken for non-support, and which is answered in the affirmative.

That is the sum and substance of the questions and answers in the evidence with respect to the care and maintenance of the children. As you know, Mr. Chairman, from having listened to the recitation of evidence in other cases, the questions and answers in this instance are somewhat scanty. I am not casting any reflection on the activities of members of the other house in this regard, I simply mention it as a point of fact. There are some circumstances which might be of interest to the committee which existed, according to the evidence given, prior to the actual petition which was submitted for relief in this instance. I should like to return to page 10 where I ceased when I was talking about the children, and go to questions by Mr. Blank, about a third of the way down the page:

Q. When is the last time you lived together with your husband?

A. 1949.

Q. You have been separated for approximately 10 years?

A. Yes.

Q. Why did you separate?

A. He was running around with other women.

Q. How do you know that?

A. He did it openly.

Q. Do you know what he has been doing for the past number of years?

A. He has been living with someone else.

Q. The same woman?

A. Yes.

I assume the question "the same woman" meant he has been living with the same woman for the past number of years, and that she answered in that sense, probably differentiating this particular woman from her plural use of the word earlier when she said "other women". Then Senator Barbour, chairman of subcommittee No. 3, asked the petitioner questions relating to the circumstances:

Q. Do you know that of your knowledge?

A. Yes, sir.

Q. Have you been to the place where they are living?

A. I have not been but I know they are living together as man and wife openly.

I relate these circumstances here, Mr. Chairman, to the conclusion I wish to draw with respect to the material part of the evidence relating to adultery to show that again prime consideration was given, and I think