

CLAUDE FERRON

The house in committee on Bill No. 480, for the relief of Claude Ferron—Mr. Hunter—Mr. Robinson (Simcoe East) in the chair.

On clause 1—*Marriage dissolved*.

Mr. Castleden: Before this clause carries, we have something to say which may be of importance. Many hon. members do not appear to understand why hon. members in this group have been opposing divorce cases so vehemently. Some of them we have put on record to expose, so far as we can, the fact that injustices are being done under the present procedure.

The Chairman: Order. May I point out to the hon. member that we are discussing an act for the relief of Claude Ferron, and that we are on clause 1 thereof. We are not discussing divorce procedure, and I must ask the hon. member to adhere strictly to the rule of relevancy.

Mr. Castleden: I am very glad to have your ruling, Mr. Chairman. I shall endeavour to show how the evidence in the Ferron case demonstrates just how unjust the procedure is, and why we think something should be done to change this sort of procedure.

The Ferron case was heard by the Senate committee in the ordinary way on May 30, and was sent forward to this house. The evidence in this case reveals a condition of affairs in connection with the handling of divorce which in my opinion lessens the prestige of parliament. The procedure followed in this case is one which I believe should not be permitted in the House of Commons. In the present instance the Senate committee recommended the granting of a divorce on evidence which was at least questionable. The charge was not substantiated, so far as the evidence was concerned.

That evidence was given by two girls, one of whom at the time of the offence was 17 years of age, and the other only 14. The offence was alleged to have been committed two or three years before the hearing before the committee. Meantime the petitioner had had opportunity to be in touch with these girls. In fact the evidence before the Senate committee showed that the petitioner, who is a doctor, had treated one of these girls for a nervous complaint, and was still treating her.

The petitioner had applied to the Quebec courts for a separation, and this had been granted. Then apparently he wished to obtain a divorce, and the evidence of these two young girls is the basis upon which he placed his application. It was proven in the

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Senate committee that this was so, and anyone who wishes may read it. All I wish to say in this connection is that there are about 450 of these divorce cases coming before both houses of parliament every year, and the evidence would sicken almost anyone. The type of investigation is just disgusting.

An hon. Member: Order.

Mr. Castleden: I shall go a little more slowly and choose my words more carefully. The older of the two girls, who gave the main evidence, was proved before the Senate committee to have committed perjury right in the court. She admitted later that the evidence she gave was wrong, and that is the only evidence we have.

The other girl was only 14 years of age. I shall read some of this evidence to the committee. I shall begin with the evidence of the doctor himself, and set out some of the bases upon which he applied for divorce. The fact that the Senate committee could recommend a divorce in such case is, so far as I am concerned, proof that the whole procedure is wrong. I turn to page 15 of the evidence where we find Senator Roebuck, chairman of the committee, saying the time had come to state exactly when it was that his wife had left. Then Mr. Riel, who was counsel, said:

They have given us an affidavit; they are here, the two girls.

Then the witness, the petitioner, said:

Well, when I realized what they told me I asked the lawyer, but—

And then, before the answer was completed, Senator Roebuck asked:

Q. By looking at the affidavits can't you tell when you learned?

A. Well, it is about a week after.

Mr. Reinke: What page is that?

Mr. Castleden: Page 15 of the report of the Senate divorce committee. Then the report continues:

Mr. Riel: Shall I file these affidavits, Mr. Chairman?

The Chairman (Senator Roebuck): If you have the girls here, we do not want their affidavits. It was merely to refresh his memory.

Then Mr. Riel asked:

Q. Now did you approve or condone the adultery committed by your wife?

A. No, I don't.

Q. Now, did you connive—do you understand what it means to connive—arrange with your wife to commit adultery?

A. No, I didn't.

By the Chairman (Senator Roebuck):

Q. You did not encourage it or facilitate it?

A. In any way, sir.

By Mr. Riel:

Q. Have you forgiven your wife?

A. No, sir.