

Private Bills—Divorce

that scream to be translated eventually into a charge of illegal entry, unless she allowed them to come into the house herself, which is even more strange, if they pushed their way in. If they did that and walked into the bedroom, they were in effect making an illegal entry, and she started to scream. Would it not be logical to assume that they would sit down and that an attempt would be made to find out who those people were and have charges pressed against them. That is not what happened. It may be logical to assume she invited the investigators in because they were not strangers. She knew what was going to happen; she knew they were going to walk into the house; she knew they were going to ask who the particular person was who was in the bedroom, what his name was, in order that his name might be presented in evidence to guarantee that he was the correspondent and that, in fact, he was not her husband. I submit this is the situation.

It is extremely unfortunate, Mr. Chairman, that people have to go to these lengths to fabricate the situation, to manufacture it, to develop it out of thin air, regardless of whether or not adultery had taken place between the correspondent and the respondent. That is beside the point, but it is unfortunate to have to manufacture, to develop, to fabricate a situation and pay \$300 to \$400, or whatever the charge is, to those so-called investigators who apparently, from the number of cases in which they are involved, have a pretty decent income, and who do relatively little work except phone somebody up and say, "Will you be in a particular apartment at four o'clock with a pink negligee?" They will probably provide that for the person if she has not one herself. They say, "We will come along". That is about the extent of the operation that is carried out by those investigators. It is unfortunate that people have to go to this extent, pay \$300 to \$400 and pay I do not know how much to the lawyers. I have had figures running from \$1,000 to \$1,500. Then pay the cost of the private petition to the other place, plus the cost of transportation of the witnesses and the lawyer to the meeting of the committee in the other place and back again, in order to meet the requirements of a statute. It is extremely unfortunate that this sort of thing exists.

What it means, Mr. Chairman, is that we are developing a situation where the rich can get a divorce but the poor cannot because they cannot dig up \$2,500. If the poor cannot find it someone else will have to pay it for them. Because of the general situation that is indicated here, this was a strained marriage in so far as its relationship was

concerned. There was evidence given to that extent. The petitioner points out that there is no hope of reconciliation. He would like to bring his children up under different arrangements. A broken home could have extreme psychological effects upon the children which would affect them in their later years.

There is no evidence of relations having taken place between them. They tried everything. They have gone to the welfare people and there was trouble almost from the start. The wife said she would be quite willing to live in the same house but would have no relations with the husband. At meal times there was a complete disregard of the husband in so far as meals are concerned. She hardly talked to him except to ask for money. She would not bother to have anything to do with him. These circumstances are not the ones in which a family should be raised.

If we take all these things into account it would appear—I hope this is so—that the children themselves will remain in the custody of the father. This is what will happen if the hopes and feelings of the petitioner come to full realization. If he is able to get custody and have them under his supervision he says that his aunt can look after them or can do the work a wife would normally do in raising children. If that takes place, then they will probably grow up in a much better home environment than would be the case if this divorce were not allowed to be proceeded with.

I raise this question. The investigators have been mulcting the unfortunate souls of every penny they have. People have to make arrangements in order to secure evidence to meet the requirements of the law. In many cases I am sure they have to perjure themselves in order to ensure that the requirements of the law are met. This is an unfortunate reflection upon our system of considering divorce cases. This arises not only in the particular province where these people live but in other provinces as well where the law is just as strict.

This is probably sufficient comment from me on this point to give to the committee my point of view and understanding of what existed. Perhaps others may have some comments to make on the question of whether adultery took place and whether there were arrangements or not. I submit it is quite clear that this evidence was manufactured; it was fabricated. An investigator had to be hired at a cost of \$300 or \$400, or something of that nature. These people are placed in the unfortunate position of having to go through these steps in order to obtain just an equitable relief for themselves, when,