

Private Bills—Divorce

when she is asked, after a little pressure—seem to indicate an alliance was reached only for the purpose of maintaining the adultery charge necessary to the granting of a divorce.

The fact that the two people were found in a state of undress is an indication to me that this evidence is a plan with a view to the granting of a divorce. Then the detectives go on, as they must, to say something about it. I think all hon. members will agree that there is no indication that adultery did in fact take place. This could have been established in a number of ways. With the permission of the corespondent they could have asked whether adultery had taken place; they could have given the warning which is necessary and then asked the questions which would have established it. But they tried to do it in another way. The evidence goes on:

We noticed the bed she was lying in had two pillows and it was pretty well disarranged. Also we noticed some women's clothing on the chair near the bed and some man's clothing on another chair on the opposite side of the room.

I fail to see how that shows that adultery had taken place in this case. I also think it is surprising that in the limited length of time available so much was observed. No attempt was made by the investigators to indicate that the lady was a prostitute or a common street walker. It is stated that the man had gone out with her a number of times that month and this, to me, would suggest that he was in the room only for the purposes of this petition and that what took place must have been condoned by the respondent. I am sure Senator Bradley felt there was not enough evidence to warrant bringing this case before the Senate committee. Senator Bradley asked:

Q. How was the man himself dressed?

A. He had his pants on but the top part of his body was bare.

Then the lawyer asked some questions, and when he concludes, Senator Barbour indicates the petitioner and asks: "Is this the lady who was in the room there?" To which the answer is: "No".

This evidence is substantiated by the second witness who is, I presume, no more reliable than the other. These are witnesses who appear before us with great regularity. The evidence is always the same. They always, without exception, see either two pillows or two cushions on the bed. They always have the man's clothing on the one chair and the woman's on the other. They always have the woman covered up with a blanket or a sheet. These particular detectives have no imagination at all. They are not like some of the others who dress their young ladies in baby blue pyjamas, or pink nightgowns, or who

have people wandering around wearing distinctive housecoats. These particular detectives always have the young lady covered up with a sheet or a blanket, and they are very fussy about having two pillows. The questioning continues and the second witness endorses what was said by the previous one, in large part:

Q. Did you have occasion to meet Mr. Rosen at approximately 11 p.m. on March 30, 1959 in connection with an investigation of Mr.—?

A. Yes.

Q. Where did you meet him?

A. At the Campus hotel on McGill College avenue.

Q. Will you tell the committee what you observed when you met Mr. Rosen?

A. After knocking at the door it was opened by Mr.—and we forced our way in and he was in the room and had trousers on and the woman was in bed.

Q. Who is he?

A. Mr.—. And he identified the picture and admitted he was the man in the picture. There was a woman in bed and Mr. Rosen went over to this woman and asked her her name and she said it was—. Mr.—then got nasty and asked us to leave the room, and we left. We didn't want to argue with him.

Perhaps the detective wanted to remove the blanket to see if the woman was wearing baby blue pyjamas or something of that nature. We have only the bare essentials of a setting in a hotel to establish adultery for a divorce case.

Mr. Aiken: Were they covered up?

Mr. Peters: The only suggestion they were not was where the guy got nasty and—

Mr. Aiken: I meant the bare essentials.

Mr. Peters: They appear to have been.

The Senate was concerned about the petitioner's ability to raise money for the divorce. I have no legal training and do not know what argument applies but I assume it is necessary for the petitioner to put up the money for the divorce. If a woman wants to divorce a man she has probably located a prospective husband who is willing to buy her from her husband for the cost of the divorce proceedings. If that is true the going price for women is cheaper in provinces with divorce courts than in those where cases are brought to the House of Commons. The questioning on this point is as follows:

By Senator Barbour:

Q. Witness, what salary do you earn a week or a month?

A. Now, \$70 a week.

Mr. Blank: She is a legal stenographer for one of my competitors.

Mr. Bell (Saint John-Albert): Where is the once great Liberal party?

Mr. Peters: I hope that remark refers to the fact that these cases are being handled