

*Private Bills—Divorce*

The Chairman (Senator Roebuck): You mean that the case would be heard today?

Mr. Riel: Today, that is right—at least I do not say that in the letter. I will read the letter, if I may:

"The above mentioned Dr. Claude Ferron has petitioned the Senate of Canada and the House of Commons for the granting of a divorce law dissolving his marriage with his wife Marielle Guibord.

"The petition for the obtention of this divorce is based on an act of adultery that he alleged his wife committed with you, during a week end of August 1951, at their summer chalet in St. Eustache, province of Quebec.

"Be hereby notified of the said allegation; we do not want to bring your name in the testimony without you knowing it."

Now, Mr. Chairman, I think that it would have been much more appropriate if this young man in the air force, who apparently was in Montreal last week or the week before, had been subpoenaed to appear before the Senate when the case was being heard. I understand that in his affidavit he intimated that he could not be at the Senate hearing, but he does not know. After all, the parliament of Canada is supreme. If this parliament asks someone in the air force to appear on a given day, I am sure the Minister of National Defence is most anxious that the responsible officers in charge make it possible for any person in the Department of National Defence to be here and clear his good name. So far as the evidence is concerned, no effort was made to have the co-respondent brought either to the Senate committee or to the committee of this house.

The other detail that I think is significant is this. While this air force person was being questioned, or while an affidavit was being prepared, no effort whatsoever was made to contact counsel for the defendant so that if this evidence were submitted, counsel for the defendant would have a chance to examine and cross-examine. I think the fact that a real effort was not made to have the co-respondent appear before the Senate committee or before the House of Commons committee was quite significant.

The young girls, when they were before the Senate committee, had different evidence to give from that which they gave while they were before our committee. Again I am sorry I am not able to refer to the evidence given before our committee. I submit that next year we should make provision for stenographic reports of what is presented to our committee, because there has been a good deal of conflicting evidence presented this year. As I recall it, these girls gave conflicting evidence before the Senate committee. They said there was one girl along with them when the expedition took place to the restaurant, when they were going to

[Mr. Nicholson.]

phone. Before our committee the number had increased from one to three others, to about five girls who were there.

According to the evidence the young chap was so drunk when his sister left that he had his head down on the table and was falling asleep. He was in such bad shape that she thought he should go to bed. Her bed was right nearby, apparently. But she was not able to get her brother to bed. The girls were away, one said for 20 minutes and the other said half an hour but not over half an hour; and when they returned this amazing evidence was all available.

It is extremely difficult for me to believe that this alleged incident could occur when and how it was described. However, I do not know anything about that. The members of this house must decide whether they accept the statement of this girl, who did perjure herself, and that of another youngster 14 years of age, or that of Mrs. Ferron who denied most emphatically that there was one iota of truth in it.

In view of the fact that both Dr. Ferron and his wife are Roman Catholics, and the fact that they undertook some years ago to go through life together, for richer or poorer, in sickness or in health, and to make a go of it, I think it would be a great pity if at this stage, when apparently Mrs. Ferron has made a real come-back, this divorce should be granted.

I see no great injustice that will be done to Dr. Ferron if we refuse to pass this divorce. If, as he alleges, his wife is not behaving as a married woman should behave, I am sure he would be able to get further evidence that might be more convincing than the evidence he brought before the Senate and House of Commons committees. I might say that we have had quite a busy year with respect to divorce. There were 407 cases. I suggest that we have a good look at those cases, and that some of those who think this bill should be carried should give some good reasons why, in their opinion, the evidence of these two girls should be accepted and the statements of Mrs. Ferron should be rejected.

**Mr. Reinke:** On a point of order, Mr. Chairman, may I say this. It is quite obvious that the C.C.F. members are talking this bill out. I should like to ask the hon. member for Yorkton a question if I may. It is this. Did he refer to the Senate subcommittee as our little kangaroo court?

**Mr. Castleden:** I was not referring to that committee. I was referring to the committee of this house that sat as a court without evidence being given.