

I know of a case where one of the witnesses who had come to testify against a woman—this was a case of the husband accusing the wife of adultery—met a member of this house after the session and told him, "Of course, all that was fabricated. If you give me so much I am prepared to go next year and testify the other way." That bill did not carry because of the political crisis of 1926, and it did not come up the year following because that member of the house, having received that information by the merest chance, went and informed the committee. The hired perjurer was afraid to come, but the year previous a decision was rendered by that high court of justice, the senate committee, upon the perjured testimony of that man who was paid to defame that woman. If that is justice, if that is accomplishing our duty by the people who come to this parliament seeking relief, very well; but every time I discover a case like that I will put it before the house, and when the house pro rogues I intend to put it before the country. It is about time that we should realize at least what we are doing. I do not want to be too hard. I admit that most of us have done it without realizing what we were doing. I myself—I have confessed it before—for many years allowed divorce bills to go through without having the slightest idea of the circumstances involved. But now I have begun to scrutinize these bills a little more closely, though not half as much as I would if I could, and I am beginning to realize the absolute and unexaggerated truth of what I said the other day. I do not know of any so-called civilized country in which divorces are granted by courts under any law—lax as the American laws are with regard to the grounds for divorce—where at least some degree of concern is not given to the evidence and where somebody is not supposed to take up the case from the other point of view.

Mr. CAMPBELL: Might I ask if all this is not evidence in favour of the desirability of having these cases dealt with by the courts?

Mr. BOURASSA: Of course; but I go further. I think it is altogether in favour of the contention that this parliament should not deal with divorce, because in order to deal with every one of these cases with some kind of decency, with some kind of respect for the elementary principles of justice, equity and evidence, not one single item of public business could be attended to throughout the course of a six months' session; it would take the whole of our time to scrutinize these so-called private bills. Take the evidence involved

in this bill. Three detectives were employed to gather evidence. I happen to know Montreal, and on the face of the evidence one of those witnesses either never was in Montreal or does not know anything about the city or thought he could impose anything on the committee. The idea of declaring he followed the husband and a woman to the point where they parked their car before a certain hotel on a street which is half a mile distant from that hotel! I do not believe one of those three detectives really followed the party. They saw what they thought was the man concerned in the case entering a certain room in the Place Viger hotel. That is all they saw. Is any man convicted before a court of justice because he has been seen entering a certain place and because he is suspected to have committed a crime with the person accompanying him? I put it to any lawyer in this chamber, would any tribunal pronounce judgment upon that kind of circumstantial evidence? In the previous case there was, for what it is worth, a declaration by the wife saying that her husband had admitted to her that he had misconducted himself; but in this case there is no such admission. What is declared to be an admission relates to acts committed long before and on which the decision is not pronounced. The acts upon which this decision is supposed to be pronounced are unknown to the petitioner, they are unknown to the three witnesses. The three paid agents of a detective agency simply testified that they followed up this man from place to place, and I have mentioned the discrepancy in the testimony of one of the detectives. Now, are you going to pronounce a divorce and, break the family tie upon such evidence?

Mr. YOUNG (Toronto): If the hon. member is going to review the evidence he must review it in full, and not take that part which suits his case. He neglected to inform the house that the man and the woman who was not his wife registered at the hotel as husband and wife.

Mr. BOURASSA: Is that a ground for divorce?

Mr. STEVENS: It is evidence.

Mr. BOURASSA: Is it evidence that something wrong has been committed?

Mr. YOUNG (Toronto): It is evidence of wrong intent.

Mr. STEVENS: Would you not think that is evidence?

Mr. BOURASSA: That is merely what we call in French "presumption of guilt."