

*Private Bills—Divorce*

**The Deputy Chairman:** Order. The hon. member for Skeena has the floor.

**Mr. Howard:** That is why I withdrew the reference I made to the hon. member for Acadia.

**The Deputy Chairman:** Order. That matter has been taken care of.

**Mr. Howard:** I thought it had too, but my volatile friend over there insists on jumping up.

**The Deputy Chairman:** Order. Come back to the bill.

**Mr. Howard:** The hon. member for Acadia in his initial remarks read precisely what I had read and in effect said precisely the same thing as I said.

**Mr. Horner (Acadia):** Why do you not pass the bill?

**Mr. Howard:** He said the evidence so far indicates that there is proof of adultery.

**Mr. Horner (Acadia):** Get on with the bill.

**Mr. Howard:** This is what causes ulcers and high blood pressure—impatience, intolerance and slanderous statements.

**The Deputy Chairman:** Order.

**Mr. Howard:** They are statements which would not be allowed in many other places. But as the hon. member for Acadia pointed out, he reiterated what I had said up to that time. The evidence goes on to indicate evidence of adultery by the petitioner, a child being born out of wedlock to the respondent after some 10 or 12 years after they had separated, and that full weight should be given in considering this particular petition. It makes me wonder, therefore, why it was necessary to go through all the expense and rigmarole of having two or three investigators or detectives prove, in a rather incidental way—

**The Deputy Chairman:** Order. The hon. member is back to procedure again. I must ask him to stick to the bill.

**Mr. Howard:** I did not intend to get into the question of procedure, only to say that this evidence is given in support of the allegation of adultery so that the marriage can be dissolved, and it makes me wonder in my own mind what adultery is. I got into a discussion of this sort before. This is the evidence given by Mr. Janelle after he got inside the hotel. He was asked:

Q. Now, you went to the door; what door?

A. Number 17. A man came and opened the door; he was wearing shorts;—

That is not evidence of adultery.

—the bed was undone;—

[Mr. Horner (Acadia).]

That is not evidence of adultery but only evidence that a bed was undone. So a woman was sitting on the chair. That is not evidence of adultery, it is evidence only that she was sitting on the chair.

Q. She was sitting on a chair, you say?

A. All she was wearing was a slip and brassiere. The bed was all undone.

That again is not evidence of adultery. It is only evidence of what she was wearing or, perhaps, of what she was not wearing.

Q. Did you talk to this woman?

A. I asked both the man and the woman what their names were. He told me his name was—, and she told me she was—. The man asked me. "What is the matter, is it wrong to go out with her, she always told me that her husband was dead?" I answered, "He is not dead, he is in the car."

That is not evidence of adultery. It is only evidence that the husband was in the car.

When the owner of the motel came to ask me what I was doing there I told him I was waiting for some one. I saw this car coming, and I recognized the Rambler that had been following us. That is why I told the woman in the motel room that her husband was not dead, that he was outside in the car.

So far, there has been no evidence of adultery; only evidence that people were attired in a certain way. Senator Bradley is also concerned about what is evidence of adultery, because he says:

Q. We want to get clearly, witness, what you saw in that room 17?

A. The bed was undone. The sheet had been thrown to the foot of the bed. The bed was undone.

That is the fourth or fifth time the bed has been undone, but it still does not prove adultery.

Q. Was there anybody in the bed?

A. There was no one in the bed, but someone had been in the bed.

Q. Who was in the room?

A. The woman.

Q. Mrs.—and a man?

A. Yes.

Q. Do you know who the man was?

A. No. I don't know who he was. I asked him for his licence and he told me it was none of my business.

That, I think, is the proper answer that a person such as this should give to one of these nose-y investigators. Nowhere in this evidence is there any reference to adultery, and I wonder why people waste their time coming here with this sort of evidence when the evidence of the petitioner himself shows that a child was born out of wedlock after a separation of years and that he himself was not the father of the child. That should be sufficient grounds on which to grant his divorce. Those are the grounds to which I give my support in considering this particular case.

The chief of police of Marieville also gives evidence in this case. He said he went to this