

Procedure Respecting Divorce

Mr. EVANS: I wish to say in answer to that, that in 1926 when the agreement between Alberta and the Dominion government had been entered into and approved by both parties, it was a speech by my hon. friend on the floor of the house that prevented its being carried out.

Mr. LAPOINTE: Let us discuss divorce.

The CHAIRMAN: Shall the section carry?

Mr. BOURASSA: Is it in order for an hon. member to take his seat and vote after the question has been put?

The CHAIRMAN: Yes, in committee.

Section agreed to: yeas, 43; nays, 14.

Section 2 agreed to on division.

Bill reported on division.

MARION RUTH LAIDMAN

The house in committee on Bill No. 98, for the relief of Marion Ruth Laidman.—Mr. Young (Toronto Northeast)—Mr. Johnston in the chair.

Section 1 agreed to, on division.

On section 2—Right to marry again.

Mr. WOODSWORTH: Are there any children in this case?

Mr. YOUNG (Toronto): No.

Section agreed to, on division.

Bill reported, on division.

MINERVA ELLIOTT

The house in committee on Bill No. 88, for the relief of Minerva Elliott.—Mr. Young (Toronto Northeast)—Mr. Johnston in the chair.

On section 1—Marriage dissolved.

Mr. BOURASSA: Just to illustrate the system, let me say that there is not one single word of proof in this case. I have looked at the evidence, and it is all based on presumption. The woman lives in Toronto, she does not give evidence herself of the actual adultery of her husband. She speaks of a previous case where the woman had committed suicide, and then the parties adjusted their differences, and afterwards separated again. She was asked why she had not got a divorce before. She said she had no money; but for this case she had the money or somebody else found the money for her, and she hired three detectives in Montreal to make out the case. They shadowed the man from place to place, and to give those who are

[Mr. Bourassa.]

familiar with the city of Montreal an idea of the accuracy of their testimony I would point out that one of the detectives says in his evidence that he had followed at night a man who was supposed to be the husband, in the company of a woman. On page 11 of the evidence the detective says:

He had parked his car on Bleury street where the Viger station is.

Now I ask anybody who is familiar with the city of Montreal what geographical connection there may be between Bleury street and the Viger station. That station is distant from Bleury street about the distance of the Central station at Ottawa from, let us say, the end of Rideau street near the bridge; so that this man, followed by this detective, one of the witnesses in this case, upon whose testimony that high judicial body of the senate has pronounced judgment, parked his car in front of a hotel on a street half a mile distant from that hotel. Three detectives were employed in the case; one of the other two admits that he did not see anything, and the other one followed the man and the woman to a certain door, but actually there is not one single witness of the act supposed to have been committed.

An hon. MEMBER: The statutory ground.

Mr. BOURASSA: What is called the statutory ground, but of course, there is no ground and there is no statute. It simply forms part of the vocabulary of hypocrisy which has become established in order to explain to the good people of this country why we are acting as a tribunal on divorce, although there is no law to guide us, and although we break every law, natural or otherwise, in connection with the taking of evidence as it should be taken by any tribunal with a fair standing. Again, I leave this case to the committee. I suppose the bill will pass, as usual. It is the business of this representative body, which so often has denounced the abuses of the senate—it is the business of 245 elected members of this house to vote blindly for a decision taken by five judges—that was the number sitting in the senate divorce committee on this case—of the highest court of the land. I do not suppose any of them knew the city of Montreal. If we acted as decently as they do in the United States, in that low degraded country, even at Reno, if there was anybody acting in the public interest in these cases like the king's proctor acts in England, he would at least see that the law of evidence was respected and would follow the evidence in order to find out if the witnesses were sufficiently informed and were of sufficient good faith to be believed.