

*Private Bills—Divorce*

quite properly so, to the fact that there was a common law arrangement, an open, knowledgeable common law arrangement, existing between the respondent and the corespondent. That in itself, upon their own admission and as given in evidence later on by one of the investigators, is the basis upon which this particular divorce was recommended to be granted by the other place and the basis upon which we should also consider it. That is why I relate this preceding evidence by the petitioner.

Following that there was another question by Mr. Blank:

Q. After you discovered that your husband was living with this woman—

Then Senator Barbour interrupts because apparently he had not finished the trend of his questions. He asks:

Q. I think it would be well if you told us how you know.

A. Well, she calls herself Mrs.—

Then the married name of the petitioner herself is given and the married surname she would have if she were in fact married to the respondent.

Q. Have you been talking with her?

A. No, but when her mother passed away she had it announced in the death certificate that she was the wife of—

Q. You mean, the death notice in the paper?

A. Yes.

Then follows a question by Senator Bradley with respect to this relationship:

Q. It is common knowledge in the neighbourhood?

A. Yes.

Mr. Chairman, I think we can draw from that that Senator Bradley was referring to it being common knowledge in the neighbourhood that the respondent and the corespondent were living together openly as man and wife and that the corespondent was in fact using the name she would have used if she were legally married to the respondent; that is, using the married name of the petitioner.

There follow then some questions about collusion and whether any of these things had in fact been engaged in between the petitioner and the respondent. Then Mr. Blank asks at the bottom of page 10:

Q. Have you ever forgiven him for this?

That relates, I assume to his activities.

A. No, sir.

Q. Did you in any manner, shape or form help arrange this relationship between your husband and this woman?

A. No.

Then Senator Bradley asks further similarly related questions:

Q. You have not arranged this divorce between you?

A. No, sir.

[Mr. Howard.]

Q. There is no chance of reconciliation?

A. No, sir.

Q. You will not forgive him?

A. No, sir.

In this particular instance, also, Mr. Chairman, there are two investigators, as they classify themselves, Mr. Peter Rosen and a Mr. Abe Golden, both of Montreal. They undertook here to give evidence as to their activities with respect of the respondent, what they discovered and saw.

I find it difficult at this hour when the young page boys are not here to get a glass of water. Quite frankly, I do not know why the page boys are absent at this particular hour because I do not see anything in the evidence I have read so far which could be considered indelicate. Nevertheless, that is what takes place.

Mr. Rosen appeared as a witness. He gave his name, age and occupation on page 11. Then he is asked some questions by Mr. Blank, counsel for the petitioner. He identifies a photograph and says it is a photograph of the respondent. Incidentally, in this instance also it is a photograph taken a long time ago, according to the evidence of the petitioner in answer to questions from the clerk of the committee. You will recall that we had some discussion about photographs taken some years ago and whether in fact they would still bear a resemblance to the individual whose picture it was. In this instance I do not know what "a long time ago" means. In any event, Mr. Rosen identifies the photograph and gives the name of the person he says it is a photograph of. Then he is asked:

Q. Will you tell the court—

Those words are used, Mr. Chairman. I would suggest that what he meant was, "Will you tell the honourable subcommittee of the other place". But the use of the word "court" might allow for a thought to be expressed at this time. Perhaps if we do establish a separate federal court we might very well appoint members from the other place as judges of that particular court to deal with divorce proceedings, because they have certainly had a great deal of experience over the years in dealing with them.

The evidence of Mr. Rosen is rather lengthy but I think I can point out the common law arrangements necessary to establish that relationship. If you recall, on one other occasion I was accused of selecting parts of the evidence out of context to paint a particular picture, but I am sure my hon. friend from Marquette and the hon. member for Victoria, (B.C.) would not do that in any event. On one occasion it did occur, and I