

SAINT VINCENT AND THE GRENADINES

IN THE HIGH COURT OF JUSTICE

SUIT NO.: 388 of 1995



BETWEEN: DANIEL RICHARDS PLAINTIFF

V

GEORGIE RICHARDS DEFENDANT

A Williams Esq for the Plaintiff  
N Sylvester for the Defendant

Mitchell J

#### JUDGMENT

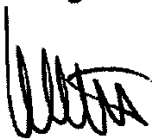
The pleadings set out the claims of the parties. The case began with a specially endorsed writ of summons issued out of The Registry of the Supreme Court of St Vincent and the Grenadines on 6 October 1995. The Statement of Claim endorsed on it is short and to the point. The Plaintiff (hereinafter the husband) claims that on the 1st October 1994 he left the sum of \$11,700.00 in cash in his brief case at his dwelling house at Villa. The Defendant (hereinafter the wife) unlawfully entered the house and without his consent removed the said sum of \$11,700.00 from his brief case. On the 3rd October 1994 she admitted in front of a witness, a Welfare Officer, that she had taken the money.

By her Defence served and filed on 11 October 1995 the wife denies any knowledge of the sum of money. The case has been ready for hearing since the Request for Hearing was filed on 11 December 1995.

The facts as I find them are as follows. The husband and the wife are both active members of the Seventh Day Adventist Church. The husband is an apparently clean cut, confident, middle-aged Vincentian, a pillar of his Seventh Day Adventist Church, and a hardware merchant at Arnos Vale, where he owns and runs "Arnos Vale Hardware Center." The wife is a much younger person, physically much smaller, and much less assertive. She is not a native of St. Vincent and the Grenadines, but is a Dominican. She used to be an employee of the husband. She worked for him from 1988. She was vulnerable. She had a child for the Plaintiff in 1990, and married him in October 1993. She had reservations, but he begged her for the sake of the child. The marriage lasted 6 months. During the marriage the husband's true colours became clearer. Because of her husband's abuse of her the wife fled his house at Villa in April 1994 to find refuge with her sister. From the graphic description of the wife, which I believe, I find that the husband is a wife

beater and woman hater. I do not believe a word of the husband about the events surrounding the story of the missing money. His plea that she admitted the theft in the presence of a Welfare Officer he has not substantiated. His evidence, that she admitted the theft to Senator Stewart and his wife, is an utter concoction. Mrs Stewart was subpoenaed to come and give evidence for the husband, but she did not appear. Senator Stewart turned up instead and gave skimpy evidence of having overheard the wife, on an uncertain date, confiding in Mrs Stewart while swimming at Indian Bay that she, the wife, had taken some money from the husband, but that he was not yet aware of it. I do not know why Mr Stewart, who is a stalwart of the church, a Senator in the Legislature of St Vincent, and a civil engineer by profession, came to testify in this matter. I do not believe the story. I find that, not content with having abused and mistreated the Plaintiff while she lived with him, the husband is now pursuing her with a view to make her suffer more. He has not only concocted this story of her admitting to stealing money from his briefcase. He has attempted to have the Immigration Department deport her. He has defaulted in obeying the Family Court Order for the maintenance of his family. He seeks out persons who may employ his wife to poison them against her. He has maliciously retained all her clothing, personal possessions and furniture that she brought into the marriage. She and her two children are forced to sleep on the floor without a single one of their possessions from the husband's house. He says her stealing his money has ruined his hardware business, as he was unable to pay for supplies he credited, and credit has now been withdrawn. He did not speak the truth about the stealing of the money, so he is probably also not speaking the truth about being in financial difficulty. With divorce proceedings underway he must be concerned about the pending maintenance order and property settlement.

The case is dismissed. The Plaintiff is to pay the Defendant her costs of this suit to be taxed if not agreed.



I D Mitchell QC

High Court Judge (Ag)

July 21 1997