

The procedure with regard to parliamentary divorce is exceptional, and deserves special mention. Generally speaking, the rules or orders of the Senate govern, but if there is no rule applicable then recourse will be had to the rules governing the conduct of the English House of Lords sitting as a Court of Appeal. The Senate sits as a quasi-judicial and legislative body, and is not bound by any body of law or precedents. Divorce bills originate in the Senate by usage only; they could also originate in the House of Commons.

Proceedings to obtain a parliamentary divorce are commenced by petition to the Governor-General, Senate, and House of Commons. This petition, which becomes the preamble of the bill for divorce, must state the facts relied upon to obtain relief. The petition is deposited with the Senate not less than eight days before the opening of Parliament, together with a fee of \$200 and a sufficient additional sum to cover the cost of printing the bill. Six months' notice of the application for divorce is required, the publication to be in the *Canada Gazette* and in two newspapers where the respondent resides. There must also be proof of service of a copy of the *Gazette* on the respondent.

A typical bill of divorce consists of a preamble and three enacting clauses, the first dissolving the marriage, the second allowing the petitioner to marry again, and the third giving the issue of the second marriage the same rights as if the first marriage had never been solemnized. On the second reading, the rule requires that the petitioner attend before the Senate to give evidence. This rule is, however, in practice, suspended, and the evidence is taken by a select committee of nine senators. The ordinary rules of evidence are followed in proceedings before this committee. If a witness fails to attend, he may be taken into custody by the Usher of the Black Rod. If the evidence is sufficient, the bill is read a third time, passed, and is sent to the House of Commons, where it goes through the ordinary procedure of a private bill, and may, of course, be rejected. Until 1879 these bills were reserved for her Majesty's pleasure, but since then that practice has been discontinued.

Collusion or connivance between the petitioner and the re-