

HON. MR. KAULBACH—I considered the proof as being quite sufficient at the previous stage of this inquiry, as there was sufficient evidence given that direct service could not be performed, and this affidavit strengthens the case. As the proof was taken as sufficient by the House before, I am sure the same position will be taken now.

HON. MR. OGILVIE moved that the said Bill for the relief of Susan Ash be now read the second time.

HON. MR. POWER—I would like to ask the hon. gentleman if that was an affidavit that he read just now.

HON. MR. OGILVIE—It was.

HON. MR. POWER—An affidavit showing the impossibility of serving a copy of the Bill on the respondent?

HON. MR. OGILVIE—Yes, and there were six affidavits to the same effect read before.

HON. MR. POWER—I have never taken any interest in these divorce cases, and I only wish now to have the procedure regular. It seems to me that it might be desirable to have a resolution passed to the effect that the Senate is satisfied with the impossibility of complying with the rule.

HON. MR. OGILVIE—That was done at the first reading.

HON. MR. POWER—That only applied to the notice.

HON. MR. KAULBACH—The very fact of passing the second reading of the Bill would imply that the Senate was satisfied with the service.

The motion was agreed to, and the Bill was read the second time on a division.

HON. MR. OGILVIE moved

That the said Bill be referred to a Select Committee composed of the Honorable Messieurs Dickey, Gowan, Macdonald, MoInnes, Haythorne, Ferrier, Vidal, Turner,

and the mover, to report thereon with all convenient speed, with power to send for papers and records, and examine witnesses on oath, and that all persons summoned to appear before the Senate in this matter, appear before the Committee, and that the said Committee have leave to employ a shorthand reporter.

HON. MR. KAULBACH—I do not rise to object to the motion, but it was customary, on previous occasions, that the committee selected should be approved by the leader of the House. It was first proposed that the list should be submitted to the Speaker, but in consequence of the Speaker at that time having scruples which would debar him from taking part in a divorce case, it was generally left to the leader of the House to approve of the *personnel* of the Committee. It was then suggested that the barristers of the House should go on that Committee. In cases that I have had before the Senate, the leader of the House always inquired of me if all the barristers of the Senate were on the Committee. I am very glad that in this case, as in the previous one, I have been relieved of the duty of serving on the Committee. It is a duty I do not desire to have and do not solicit; at the same time, in a matter of this grave importance, it is necessary, and I think it is only proper that all the judicial minds of the House should be on the Committee. A committee of laymen may sometimes be selected with a certain object, if it is in the hands of the petitioner or his counsel—they may select such a committee as they believe by their leanings or general ideas on such matters will be inclined to relieve the party petitioning. In general those courts for the considering of divorce cases are composed of the highest judicial minds in the country, and when we have not got such courts here we should appoint on the committees men of experience in such matters and who have devoted themselves to the subject. I think it would be well if the House could by some means come to the conclusion to have a committee of 15 appointed, composed of barristers and doctors, and others who take an interest in such questions, to consider those cases. I merely do so because it was