

is one thing omitted in the motion to which I wish to draw attention. I hardly think myself that it is necessary, but I am not able to say positively, and therefore I think the hon. gentleman should follow precedent. In a case which is before me, which came up in 1884, of one Graham, the words "and examine witnesses on oath" appeared. Those words are omitted in this motion. I believe the Committee does not get the power to examine the witnesses by any delegation by this House, but by virtue of an Imperial Act of Parliament. I am not quite positive about that, but I believe so, and perhaps the words are not necessary, but it is very often dangerous to depart from the regular form.

HON. MR. DICKEY—The 78th rule provides that the committee shall have power to examine witnesses under oath. The rules mention it distinctly; so I suppose my hon. friend did not think it necessary to incorporate these words in his motion.

HON. MR. READ—In 1884 I had those words included, but when it came up it was found that the committee had authority to examine witnesses under oath without it.

HON. MR. POWER—It is better to insert the words; they cannot do any harm.

HON. MR. PLUMB—The rule says that "witnesses are heard on oath." It may be necessary that the authorization should be made by motion in the House.

THE SPEAKER—My own opinion is that it would be better to adhere to the form, and state "examine witnesses on oath."

The motion was amended accordingly and agreed to on a division.

THE DAVIS DIVORCE BILL.

SECOND READING POSTPONED.

HON. MR. OGILVIE presented the certificate of the Clerk of the Senate that notice in the Davis Divorce Case had been affixed at the door of the Senate for 14 days, as required by the rules of the

House. He moved that Max Fischacher, of Boston, Mass., be examined at the Bar of the House.

The motion was agreed to, and the witness was sworn and examined at the Bar as follows:—

Q. What is your name, place of residence, and occupation?

A. Max Fischacher, of the City of Boston, in the State of Massachusetts, one of the United States of America, Counsellor at Law.

Q. Look on the paper writing now shown to you, marked "A," being an Act for the relief of Amanda Esther Davis, and on the paper writing now shown to you, marked "B," being an order of the Senate on Thursday, the 5th February, 1885, both writings being certified by the Clerk of the Senate. Did you serve copies of these writings with the certificates thereon of the Clerk of the Senate upon Joseph DeSola, and on what day and date and at what place?

A. I served copies of the writings now shown to me, marked "A" and "B" respectively, with the certificates thereon respectively, of the Clerk of the Senate, upon the said Joseph DeSola, whom I have known for several years, upon Friday, 13th day of February, instant, at his lodging house in the City of Boston, in the State of Massachusetts, and which is known as number two, Rollins Street, in said City.

Q. State the particular mode in which you effected such service of the writings "A" and "B" respectively, on Joseph DeSola?

A. I served the said copies of the said writings "A" and "B" on the said Joseph DeSola, personally, by handing the same to him, and I informed him that as I had caused the Notice of Application to the Parliament of Canada, on the part of his wife, for a Bill of divorce to be served upon him, and as I knew him personally, these papers were sent to me with the request that I should serve him with same. I explained the character and purport of the documents to him and he understood the same.

Q. Is the person, Joseph DeSola, upon whom you served copies of the writings marked "A" and "B," respectively, Joseph DeSola, the husband of Amanda Esther Davis, of the City of Montreal, in the Province of Quebec, and the person from whom the petitioner herein is seeking divorce?

A. The person, Joseph DeSola, upon whom I served copies of the writings marked "A" and "B," respectively, is Joseph DeSola, the husband of Amanda Esther Davis, the petitioner in this matter.

The said Max Fischacher was directed to withdraw.

HON. MR. OGILVIE moved:—

That the examination of the petitioner in this matter at the Bar of the Senate as well

HON. SIR ALEX. CAMPBELL.