

proper in its wisdom to fix the sum at \$200. In this case, the expense will only be a small proportion of that, and in another case it may be three or four times as much. In that case there may not be any necessity for passing an order at all; still, we must keep to the rule, and at some future time, if it is brought up, naturally we will have an opportunity of considering whether it is advisable to make a new rule with regard to divorce cases. I have no desire to throw a shield of protection round divorce; it would rather be the other way, in consequence of the trouble I have had with those cases for some years past.

HON. MR. ABBOTT—I agree with the hon. gentleman from Amherst that we should not suddenly or arbitrarily depart from what has been the practice of this House, but I do not say that the principle which applies to other private Bills applies with the same force to Bills of divorce; for, in considering Bills of divorce we incur a large expenditure that is not incurred in the discussion of other Bills. While we recognise the principle that this \$200 is for the purpose of covering expenses by the very form in which the hon. gentleman put his motion, that the expenses, are to be deducted from the \$200, we do not carry out this principle fully if we apply it only to the printing. The printing is only a small portion of the expenses of this House in carrying a Bill of divorce as far as this one went. Perhaps, without departing now from the ordinary practice, by refusing to refund this money, people who desire to come before this House for divorce should be put on their guard, and should not expect in the future, as a matter of course, the return of their deposit where their application fails. I think this House would do well to consider how far the money ought to be retained to pay any expenses that may have been incurred to carry on the proceedings.

HON. MR. DICKEY—This does not apply only to the expense of printing, but to other expenses.

HON. MR. KAULBACH—This is an actual payment, according to the Rules of the House, and therefore it cannot be treated as if it were put in to indemnify the House for any expense that may be incurred.

HON. MR. SANFORD—In this case we are simply seeking to follow a precedent that has been followed in this House very largely, and this is a case in which there is an exceptional claim upon our sympathies from the fact that this young woman, whose record is unquestioned, is placed to-day, with limited means, dependant wholly upon herself and the small inheritance she has, and the balance in our hands, whatever balance that may be after deducting the necessary costs, is an important item for her to have. I hope the House will not make an exceptional case of this one.

The motion was agreed to.

## CLAPP DIVORCE CASE.

### MOTION.

HON. MR. CLEMOW moved—

That the fee of two hundred dollars, paid to the Clerk of this House by David P. Clapp, in presenting his petition for an Act to dissolve his marriage with Alice Mae Clapp or Macdonald, be refunded to him, less the expenses incurred. Also, all the exhibits filed by petitioner at the hearing of the evidence.

This is a similar proposition to the one that has just been assented to by the House, but I believe that in this case there will be a much less sum to be refunded in consequence of the expenses incurred.

HON. MR. FLINT—I appear to be a standing or sitting seconder for my hon. friend on my left and my hon. friend on my right, and I have no objection to seconding anything that he brings forward; but in this case the balance, if any, should be given to Mrs. Clapp; I think she is more entitled to it than Mr. Clapp is. The two cases before us are very different to-day, and I should hope that the sense of the House would be, instead of giving the balance to Mr. Clapp they would pay over what balance there may be to Mrs. Clapp, who deserves it.

HON. MR. KAULBACH—I think it is necessary to create a precedent. The hon. gentleman who has moved in this matter has stated that the balance to be returned is so small that it would not affect the petitioner very much, and we had better now make the precedent and let the House decide that they will not hereafter refund the money. This case is different from the previous one. There all the facts were unanimously agreed upon. The peti-