

HON. MR. POWER—As the hon. Minister of Justice has intimated that he proposes to consider this matter further, I venture to make a few suggestions differing slightly from those made by the hon. gentleman from Richmond, (Mr. Miller,) and by the hon. gentleman who has just sat down. I think, in the first place, that the objection taken by the hon. gentleman from Richmond has been taken too late. This petition, this proof of service, was offered to the Senate on the 16th of February, and the rule of the Senate provides that this is a pre-requisite to the reading of the petition. Evidence was presented to the Senate on the day I have mentioned, and this House at that time thought that the evidence was sufficient, and allowed the petition to be read. It therefore seems to me rather late, upon the second reading of the Bill, to take this objection.

HON. MR. MILLER—The hon. gentleman must have misunderstood me. I had no desire at all to impede the proceedings which have taken place under that irregularity, because that might do a very serious injustice. I had no desire or wish to do more than call attention to the irregularity, in order that it might not be repeated again.

HON. MR. POWER I was under a different impression, and the remark of the hon. gentleman from Ottawa (Mr. Scott) left me under the impression that this service was to be looked upon as null and void. I was going to make this suggestion to the hon. gentleman from Lunenburg (Mr. Kaulbach) that it would be only a proper course for the House to pursue, to discharge the order of the day for the second reading and fix it for a different time, notice having been given for a particular day. With all due deference to hon. gentlemen who think differently, it appears to me that the wisest course might be to have the Bill read the second time to-day, and then after the committee had been struck they could give any time they pleased for the Respondent to appear and oppose the granting of the divorce.

HON. MR. KAULBACH.—I have listened attentively to the remarks of hon. gentlemen, but do not feel that any in-

justice has been done to the person opposing, or likely to oppose, this petition for divorce, by having the bill read to-day. The proceedings to-day do not affect the merits of the case. Therefore I do not personally feel inclined to withdraw it. I agree with the hon. gentleman from Halifax, (Mr. Power,) that objection should have been taken before now. I am glad the hon. gentleman from Richmond, (Mr. Miller) has moved in this matter of procedure and brought it to the notice of the House, and I trust it will result in our rules being so arranged that there will be no difficulty as to the proper course to be pursued in the future. I shall act upon the suggestion of the hon. leader of the House and see whether the party can be brought before the Senate to amend the defect which has been pointed out. As it seems to be the wish of the House, I now beg to move that the bill be read the second time on Monday next.

HON. MR. SCOTT.—In acquiescing in the motion, I do not for one moment desire that it should be understood that I at all agree with the observations which have fallen from the gentleman in charge of this bill. I consider that it is perfectly competent to take exception to the bill at any stage whatever, and I shall avail myself of an opportunity to do so when it comes up for the second reading.

HON. MR. PLUMB—I understood my hon. friend to say that there was an admission, by telegram, from the Respondent, of service in this case. Of course, my hon. friend would not undertake to say that was any evidence. We do not know who sent that telegram, and in fact the proceedings are suspicious from beginning to end, in regard to that affidavit. It is a little singular that a commissioner for the county of Grey should have taken that affidavit in the county of Essex, where it would be easy enough to find a commissioner to act. The very fact of a telegraphic notice having been sent would, in my mind, throw suspicion upon the case. I am not sufficiently acquainted with the rules of the Senate in regard to these matters, to offer an opinion, nor am I a lawyer to venture upon a legal opinion, but I think the construction given to the 73rd rule by my hon. friend from Ottawa is a forced one. I think the fact that there is