

rule was departed from; but I understood that in all the other cases the petitions, after being presented, were referred naturally under these rules to the Committee on Divorce. I think they were read, but they were not received—they could not be received until all the evidence was in. I have stated what the intention of the framers of the rule was, and it seems to be right and proper that these petitions should be disposed of in that way.

HON. MR. POWER—I regret to say that I have not given any attention to this matter, but I am disposed, on the whole, to agree with the hon. member from Richmond. The mere presentation of a petition by a member hardly gives the House control of it, until the Senate becomes cognizant of its contents. It might be that a petition, when presented, contains something which renders it not proper that it should be received by the House, and I do not think it was contemplated that petitions of that character should be referred to the committee, though I do not speak positively on the subject. As hon. gentlemen who have given this matter some consideration differ diametrically as to the meaning of the rules, the better way is to follow the more prudent course, which is that suggested by the hon. member from Richmond. If we, to-day, read these petitions, and they go then to the Select Committee on Divorce, we are perfectly sure that everything has been done. If we do not read them, and they are held to have gone to the committee yesterday, then if the view of the hon. member from Richmond is correct, the proceedings will be irregular from the beginning, and for that reason the wiser course is the one suggested by the hon. member from Richmond. When other petitions come in afterwards, if it should be discovered on further enquiry that his view is not the correct one, we need not deal with them in the same way.

HON. MR. MILLER—There has been an attempt to make something out of my statement that two of these petitions, which I had time to examine into, were presented and read. I find now, in the Journals under my hand, that four of these petitions were read on the 20th—the petitions in the Middleton, the Lowry, the Rosamond and the Bagwell cases. I have not had time to look up the other.

HON. MR. MACDONALD—Were these petitions received?

HON. MR. MILLER—I have not had time to see if the whole of them were, but here are four of the cases cited by my hon. friend from Amherst in which the petitions were presented on the 18th and read on the 20th, and I find further that the father of these rules, Mr. Gowan, was present on that occasion. Certainly, the reading of the petitions must have accorded with the interpretation of the rules which he himself had framed. If I am wrong, I err in very good company.

HON. MR. LACOSTE—I think that the point raised by the hon. member from Amherst is a very important one, and one that should be settled. I have listened to the discussion, but my opinion is not yet formed. There is much to be said *pro* and *con*. My first impression was that my hon. friend from Amherst was right in his interpretation of the rules. Afterwards, on hearing the precedents cited by my hon. friend from Richmond, I came to the conclusion that the House followed another course. Under the circumstances, I think it would be prudent to let the matter stand for a few days. The debate might be adjourned until Tuesday next, by which time we can decide upon the proper course to be followed.

HON. MR. MILLER—The petitions could be read to-day.

HON. MR. POWER—There is this objection to letting the matter stand until Tuesday—the time for receiving petitions will expire on or before next Tuesday.

The petitions were read.

THE LATE SENATOR MACDONALD.

HON. MR. SMITH—It becomes my painful duty to announce to this House the death of one of our most esteemed members, Senator John Macdonald, of Toronto. I am sure that every one who hears me will share my regret at this sad event. Where he was best known the regret will be most deeply felt. He was a good citizen, a useful member of society and a man of great benevolence. I deeply lament his loss as a good friend and neighbor in Toronto, and I sympathize with his family in their bereavement.