

disposed to look at the matter in the same way as the hon. gentleman from Ottawa, and at the suggestion of the Minister of Justice the motion was postponed until the second day after, in order to afford members time to consider the question. Then on the day to which the report of this committee had been postponed, the hon. gentleman from Alma division moved for a suspension of the rule in accordance with the report of the committee. Then the Minister of Justice, and leader of the House, who had in the meantime looked into the matter, gave an opinion with respect to this motion, which is just as applicable to the case now before the House as it was to the Cox divorce case, and I think the House probably will not feel that I am trespassing too much upon their time if I take the liberty of reading the greater part of the short speech that was made by Sir Alexander Campbell on that occasion :

"Hon. Sir ALEX. CAMPBELL—I am sorry to be unable to agree with my hon. friend from Montreal, who asks us to suspend the rule in this particular case. In reference to an ordinary Bill we suspend the rules very frequently in compliance with a recommendation of this kind in the report of the Committee on Standing Orders and Private Bills, but in these divorce cases we are, strictly speaking, a court, there being no other court competent to discharge that duty in any part of the Dominion, and we ought to follow strictly the rules which have been laid down. Naturally, it occurs to my learned friend from Montreal, who is a layman, that six weeks' notice is just as good as seven, since the evidence establishes that the respondent has been served with proper papers, and that therefore this irregularity is of no consequence; but you cannot deal with a subject of this kind in that light way. If you can throw off one week, why not two, and if two, why not three, or four, or five, or the whole notice? The only safe course to take is to require that the rules of the House be rigidly observed. We do not know what dangers the party may have been exposed to, or what may have been the result of the failure to publish during that one week, and therefore as the parties themselves are to blame for this omission, and as they might have taken the necessary precaution, and as it is by their own negligence and default that it occurred, it seems to me the House should be clear of all blame in the matter, and should see that the rules, which were laid down after deliberation, and for the express purpose of giving all parties full notice and warning, and an opportunity of coming here, are strictly observed. We should take extreme care in granting these divorces. It is one of the most important decisions which

can be given affecting the relations between man and wife, and that serious step should not be taken without seeing that every form is strictly complied with. I hope the day is long distant when there shall be any relaxation of the rules which protect persons in the state of matrimony, and that we shall never reach the condition of affairs which prevails in the United States, where, it has been remarked, in some states the railway trains stop ten minutes for divorces. Let us adhere to the rules which have been laid down for safety and which are necessary."

Then the leader of the House urged that there would be yet time to proceed with the Bill during the current session, even though the matter was deferred until the notice had matured, and he recommended that the Bill be deferred. The hon. gentleman from Alma division then moved that the Order of the Day be discharged and that the petition be referred back to the committee, which was done, and the petition came up again when the time for the notice had expired. I find also, from the official report, that the hon. gentleman from Lunenburg, who, I understood from the chairman of the committee, seconds the motion that he has just moved, used this language after Sir Alexander Campbell had spoken :

"Hon. Mr. KAULBACH—I fully agree with the Minister of Justice that we should not relax our rules in this case. If we do so now, we cannot say how far we shall go in this direction in the future. I cannot see how any injury can be done to the parties in this case, because there is ample time to apply to the Private Bills Committee again and get justice this session. I do not think this is a case in which the principle *de minimus non curat lex* applies. I do not look upon this omission as a trifle, and I believe that the rules of the House should be strictly adhered to and given full effect to."

It appears that the notice in the case now before us is about a month short. In the Cox case, the notice was, I think, only a week short; but there is this to be said in the present case also: that the six months' notice required will expire during the next month. The first notice in the Manitoba papers was given on the 12th October, so that the six months will have expired on the 12th April next, and there will be still time enough to deal with the Bill during this session. But to say that we shall drop off a month's notice this year might be to open the door to very serious irregularity and laxity of procedure in the future, and I think the better course for the House to adopt now is the