

It is usual at the same time to pay the fee of \$200.00, to cover the expense which may be incurred by the Senate in passing the Bill. With this is also paid \$10.00 or \$15.00 to cover the cost of printing the Bill in English and French.

Rule 72 of the Senate requires every applicant for a Bill of Divorce to give six months' notice of his intended application and to specify from whom and for what cause, by advertisement in the *Canada Gazette*, and in two newspapers published in the county where the applicant resided at the time of separation. By Rule 73, a copy of the notice as published in the *Canada Gazette* is to be served at the instance of the applicant on the person from whom the divorce is sought, if the residence can be ascertained, and proof by declaration under the Act respecting extra-judicial oaths of such service or of the attempts made to effect it to the satisfaction of the Senate is to be adduced before the Senate on the reading of the petition.

On the presentation of the petition in the Senate, the Senator in charge must produce the proof of the service of the notice of application upon the respondent.

There are two instances in which, the respondent not being found, the House deemed substitutional service sufficient (*g*).

As to what may be sufficient substitutional service no rule has been laid down, but it is apprehended that such steps as may be directed by a Judge in a Court of Law in an ordinary action at law will, under similar circumstances, be recognized by the Senate in an application for a Divorce.

The evidence of service or attempts to effect the same being satisfactory the next step is to have the petition read and received. At this stage, if any proceedings at law have been taken prior to the petition, an exemplification thereof to final judgment duly certified by the proper authority is to be presented to the House, and if damages have been awarded, proof on oath must be adduced that the same have been levied and retained, or an explanation given of neglect or inability to levy the same under an execution.

(*g* *Martin Case*, Senate Journals, 1870, p. 79; *Ash Case*, Senate Journals, 1887, p. 30.