

of the rule is simply to regulate that petitions for divorce, instead of being sent, as they had been before, to the Committee on Standing Orders, should go, as a matter of course, after being received, to the Committee on Divorce.

HON. MR. VIDAL—As a layman, I find it rather difficult to follow the intricacies of these matters, but I think it is very desirable that the Senate should understand clearly the right course to pursue. It appears to me that the action on the petitions last year was irregular. From the statement made by the hon. member from Amherst it seems to be clear that the new rules which we adopted in 1888 require that a certain form which we had gone through before shall be relegated to the Divorce Committee, and it is only in harmony with that idea that a petition, on being presented should be referred to the Divorce Committee before taking any further action on it.

HON. MR. MILLER—How do you explain Rule "F"?

HON. MR. VIDAL—I cannot say; I have not got it here. If I had one of these petitions in charge I should not know how to proceed under the view taken by the hon. member from Richmond. The old rule was that certain information was to be given to the House before a petition was read. There was no intention whatever to lessen the difficulties which were placed in the way of persons obtaining divorce—there was no desire on the part of the Senate to relieve the petitioner from the necessity of furnishing the necessary information—it was merely for the convenience of the House that the mode of obtaining it was changed. If a petition for a divorce is to be received like any ordinary petition, two days after its presentation, we are dispensing with a safeguard. Before a petition can be read the House must be satisfied that the evidence of the service of the notice is sufficient.

HON. MR. SCOTT—I was not one of those who took part in the framing of those rules, and I am not therefore as competent as others to speak on the subject. I take them as we have them before us. I assume that the petition is subject to the general rule that one day at least shall intervene

before it is presented to the House. Rule "D" requires that evidence shall be given of the six months' publication in the *Canada Gazette*, the service of notice and a variety of other forms gone through with that had previously been furnished at the bar of the House, and occupied considerable time. As I read the rule, it was intended that all this evidence should accompany the petition and should be attached to it. The rule says:

"The petition, when presented, shall be accompanied by the evidence of the publication of the notice, as required by Rule 'D,' and by the declaration and evidence of the service of a copy thereof, as provided by Rule 'E,' and by a copy of the proposed Bill."

Now, in those petitions there certainly are not to be found the requirements of the clause. There is a declaration, but I do not see a copy of the Bill. I think the intention of the rule was that all these documents should be grouped together and attached to the petition before it could be accepted by the House. That is my reading of the rule. I was named on the committee, but I took no part in drawing the rules and take very little notice of those divorce matters. I merely give my own interpretation of the rule.

HON. MR. MILLER—I was guided by the practice of last year. I perhaps have not paid any more special attention to the subject than the hon. member from Ottawa; but Senator Gowan, who ought to understand these rules, and who took such a deep interest in this question, and was careful that no irregularity should creep into the administration of the rules under his presidency of that committee, was present when the petitions in the two cases which I have cited—I have not had time to look into the others—were presented and received, one day intervening, as in other cases.

HON. MR. KAULBACH—I was a member of the committee to which this question was referred, and I remember well the discussion which took place in the committee upon those rules. They were drafted by Mr. Gowan, and referred to the committee. Some amendments were made after a full discussion, and the whole object of the rules was to dispense with this inquiry below the bar. The whole matter was relegated to the committee. I cannot understand why, in those two cases to which the hon. member for Richmond refers, the