

the only case directly in point is the case of J. R. Martin, which some members of the House will remember very well. In that case substitution service was allowed instead of personal service. I think it will be found if the Clerk reads those affidavits that all my hon. friend said with respect to their contents will be borne out. I observe in the notice that adultery is not charged specifically against the respondent. It may be inferentially charged, but it is not set forth formally as in the previous petition, which has just been read. I shall never give my voice towards the dissolution of marriage unless adultery is alleged and proven.

HON. MR. MILLER—The important point before us now is evidence as to the service of notice.

HON. MR. OGILVIE—I move that the evidence be read at the Table. I apologise to the House and to you, Mr. Speaker, for not having taken the proper form of doing it, but I thought when I sent those affidavits up to the Clerk that I had done my duty. While I quite agree with the hon. gentleman opposite that we should do everything according to rule I believe there is a way by which people who suffer from certain troubles may get relief.

HON. MR. MILLER—We are not discussing the merits of this case at all.

HON. MR. OGILVIE—I have brought every thing that I think is necessary in the way of proof, and I move that the affidavits be read.

THE SPEAKER—It has been very well said that it is at the initial proceedings in such cases the greatest abuses occur in other countries with regard to those solemn proceedings—that is, with respect to the service of proper notice, and I think that every possible precaution should be taken to prevent any collusion or fraud or any lack of notice to the parties who are summoned. Up to this moment I do not know that we have had sufficient evidence of the service of the notice or the impossibility of service.

HON. MR. KAULBACH—I think the

hon. gentleman who has charge of this matter has done everything that was necessary on his part. He has said that he has all the declarations respecting the service, and the reasons why personal service cannot be had, and he has moved that the affidavits be read.

HON. MR. MILLER—My hon. friend must not understand me as opposing the motion in any way. I merely desire to see that the requisite formalities are duly observed, and the only formality required now is the reading of the affidavits.

The motion was agreed to and the affidavits were read by the Clerk.

HON. MR. DICKEY—Perhaps, as I called the attention of the House to the necessity of preserving these forms that we have provided by our rules, it may be expected that I should state whether there is satisfactory evidence, in my opinion, of reasonable efforts having been made to ascertain the residence of this party in order that personal service should be made—because that is all the rule requires. It requires personal service, or such reasonable evidence as will satisfy the House that all efforts that should be made have been made to effect personal service. Persons in charge of such petitions may apprehend that this is a mere technical objection, but I make the objection in the interest of the House, in the interest of justice and in the interest of the regularity of our procedure. There is only one precedent to guide us, and that is the case in which I was myself concerned as promoting the bill—the case of J. R. Martin in 1873. In that case there was very slight evidence of service made, but the evidence did not go quite as far as the evidence now before us. The evidence was simply that an effort had been made to find out the residence of the respondent, and not finding it out they ascertained his last place of abode in the United States, and a notice was sent addressed to that place, as in this instance. They also served a copy of the notice upon the sister of the party. Here, in addition to the evidence that has been given of the notice having been sent to the two last places of abode