

Mr. A. K. MACLEAN: Section 122 of the Dominion Elections Act prescribes the form of ballot-box thus:

The ballot boxes shall be made of some durable material, with one lock and key, and a slit or narrow opening in the top, and so constructed that the ballot papers may be introduced therein, but cannot be withdrawn therefrom unless the box is unlocked.

I think it would be well to introduce that paragraph in Part IV of the Act. If that were done, I think it would fairly well meet the objection.

Mr. DOHERTY: We have a provision here that Part IV is to be read in conjunction with the entire Act.

Mr. A. K. MACLEAN: I do not think that could be done, because section 119 of the Dominion Elections Act provides that the Clerk of the Crown in Chancery shall provide the required number of ballot-boxes, which must be of a uniform size and shape, such instructions being first approved by the Governor in Council. The definition which we are discussing seeks to make the term more elastic, to meet the case where a "box," within the Dominion Elections Act, was not obtainable.

Mr. NESBITT: Why not say something like this, "which cannot be removed except by the person duly authorized"?

Mr. DOHERTY: It occurs to me that in this clause is not a proper place to give any description of the ballot box. All we are doing here is compiling a dictionary so that we shall know what the words mean that are used in the Act. I quite agree that it may be necessary before we get through with this Bill to make some provision as to what is to be the form of the box.

Mr. NESBITT: Why not say, "as herein-after provided"?

Mr. DOHERTY: I can see no objection to that.

Mr. GERMAN: Why not accept the definition in the Dominion Elections Act?

Mr. DOHERTY: I do not know whether I can get it home to the mind of the committee, but at present we are not defining at all. If some more precise description should be required, I would suggest that it be provided somewhere else in the Act. We are here simply saying that when in this Act we use the word box, we mean whatever may be the proper receptacle for receiving the ballots. We do not want to have it said that, because we use the word box in the different sections, the deputy returning

[Mr. Doherty.]

officer would not be entitled to put the ballots in a bag or some other receptacle. The only desirable thing about using the word box, even if it should be a bag, is that we are using the same word as is used in the Dominion Elections Act for the receptacle in which the ballots are put.

If the description in the Dominion Elections Act, read by the member for Halifax (Mr. A. K. Maclean), be held not to apply to this Act, perhaps it would be well to set out, in that part of the Act where provision is made for the manner in which the vote shall be taken, some one form of receptacle.

Mr. MACDONALD: Why not let this clause stand until we decide what the specific kind of receptacle shall be?

Mr. DOHERTY: The subsection was so worded simply to relieve the draftsman of the necessity of going into details every time he had to mention the receptacle. However, if it is thought that the description so employed is in any way objectionable or might be rendered objectionable by our subsequent description, I have no objection to letting the section stand.

Mr. PUGSLEY: The Dominion Elections Act does not give a definition of ballot box, but it describes what the box shall be. If it is considered desirable under this legislation to have a sealed bag instead of a ballot box, that could be provided for. But it is undesirable to include "bag" in the definition of the receptacle for containing the ballots. That would convey to the person taking the votes that any loose receptacle that he might get hold of would do just as well as a ballot box; it would depend upon his own interpretation of what would be a reasonable safeguard. The statute ought to provide some receptacle that can be kept under lock and key and from which ballots cannot be removed except by the proper official. Those receptacles should be uniform so that when they are returned to the proper official he will know that those are the receptacles that went out from him and that others have not been substituted in their places. It came under my notice some years ago that in one case considerable delay was incurred in returning a ballot box. It was stated that when the box was received, the returning officer was able to say that it was not the identical box that he had sent out. The same safeguard should be thrown around the returning of the ballot boxes as is contained in the present Dominion law.

Mr. DOHERTY: As I have said, this is not a description of the ballot box which