

appear he shall hold good all ballots appearing to have been cast as aforesaid, notwithstanding any such informality, neglect, error or omission, on the part of any official as aforesaid, and whether such ballots be found in any packet or ballot-box as provided by law or not."

The object he wished to arrive at, in the seventh section of the Bill, was this: When a person was proved guilty of illegal practices, they found the parties did not follow the provisions of the existing law for the collection of the fine. No one liked to sue his neighbour for these penalties. He had not heard of any such collection having taken place. He provided, therefore, in this section, that:

"Whenever, during or after the trial of any election petition, any person is reported by the Judge, or by any commissioner appointed by the Governor-General, under the provisions of the Act 39 Victoria, chapter 10, as guilty of any illegal practices, to which penalties are attached by any of the Acts in respect of elections, it shall be the duty of the Attorney-General to proceed by law for the enforcement of such penalties, except against any person who has received a certificate that would protect him from proceeding under the provisions of the said Act 37 Victoria, chapter 9. Any moneys recovered by such proceedings shall, after defraying the costs of such proceedings, be primarily applied to meet the costs incurred in connection with the trial of such election petition by the party to such trial at whose instance such person shall have been convicted of such illegal practices. Any balance of such moneys that may remain shall belong to the Crown. No person against whom such proceedings shall have been taken by the Attorney-General shall be subject to be sued for the recovery of any penalty under the provisions of the Act 37 Victoria, chapter 9, section 109."

In submitting this Bill for the consideration of the House, he would say, to a great extent, he agreed with the hon. the leader of the Government, in so far as he said this was the proper time to consider our Election Law. It was a time when they could consider this law without any personal feelings, and both this Session and next, he thought, might very properly be devoted to the consideration of this question. He offered this as an instalment in the meantime, and he hoped the leader of the Government would see no objection to its being read a second time. It had been suggested that this Bill should be referred to the same Committee as the Bill of the hon. member for North Simcoe (Mr. McCarthy). It seemed to

him, however, that the Committee was too large, and would be fully occupied with its own business. He would prefer that the Bill should be referred to a smaller Committee. He thought there were some provisions in the Bill which his hon. friend would not object to see passed into law this Session. He would, therefore, prefer to have it referred to a separate Committee, so that the acceptable clauses might be crystallised into legislation without delay.

MR. ARKELL said he thought that any hon. gentleman in the House who had gone through the last election, must feel that the law was too stringent, and that it should be relaxed in certain particulars. In his recent election he abstained himself, and his friends abstained, as far as he knew, from any infringement of the Election Law. A few days after the election he heard that an attempt was to be made to invalidate it. He was examined before the Master in Chancery, at St. Thomas, for five hours, and all the questions that suggested themselves to a third-rate lawyer were put to him. When the examination was over, a number of fellows were hired to hunt up election charges. They managed to scrape together sixty-five charges of corruption, treating, bribery, etc. When the Court met at St. Thomas every charge fell to the ground at once. A friend of his, named Mr. Samuel Day, a prominent gentleman of his county, one who had been warden and reeve for several years, who was a genial whole-souled man, and constantly coming in contact with the people, was in the habit of treating his friends when he met them. He had a large acquaintance, and, at the time of his (Mr. Arkell's) election, he pursued the same course he had pursued in regard to treating, for twenty-five years previously. They could not prove that this man had corrupted a single elector; still the Judge, in his wisdom, came very nearly unseating him (Mr. Arkell) on the strength of Mr. Day's admission that he had been in the habit of treating. The lawyers opposed to him almost succeeded in making Vice-Chancellor Blake believe that Mr. Day had corrupted the whole electorate. He (Mr. Arkell) was of opinion that the law should be changed. He did not think