

Mr. MORPHY: Subsection 3 reads:

If a person is charged at a polling station with having committed the offence of personation.

An evil-minded person who enters the polling booth with the intention of impersonating another voter may be detected before he carries out his intention. Under this section there is no power to deal with such a case. It seems to me that the provision should cover also an attempt to commit the offence of personation; the result would be a tendency to prevent the evil-minded person from entering the booth at all.

Mr. GUTHRIE: I have no objection to amending the section accordingly, if the committee is of that opinion. I move that section 64 be further amended by inserting in line 18, page 45, after the word "committed" the words "or attempted to commit", and by adding after the word "voted" in line 18, the words "or attempted to vote".

Amendment agreed to.

Mr. MACKENZIE KING: Unless the minister can give some substantial reason why subsection 2 should remain in the Bill, it seems to me that it should be struck out. The effect of it is that in any incorporated village, town or city the returning officer may have groups of three men as special constables, posses of police, wandering about during the day of the election in the vicinity of polls. That would mean a considerable amount of government patronage, and it would open the door to corruption and to an element of terrorizing in some communities rather than the opposite. I think it would be much wiser to return to the old law, unless there is some substantial reason why we should introduce this police system at our elections.

Mr. GUTHRIE: I am not wedded to the proposal. If my hon. friend moves to strike it out, I agree.

Mr. MACKENZIE KING: I move to strike out subsection 2.

Mr. MORPHY: It is unfair to assume that in case of disorder at a polling subdivision the constables would be at the beck and call only of the Government officials. They would be there, I should think, for the purpose of preserving order for all the people and to ensure a proper and fair election for everybody; and to strike out this provision would not tend to ensure the conduct of elections in the manner desired by every law-abiding citizen. As to the question of

patronage, I suppose that is a case of honi soit qui mal y pense.

Mr. GUTHRIE: Under another subsection there is power to appoint as many constables as necessary. This is only an extra precaution, a provision to afford a greater safeguard in the case of disturbance, but I cannot see that it very much improves the old law.

Mr. DUFF: Every city, town and village have their own police forces which could be called upon in case of riot or disturbance. I do not see any necessity for subsection 2.

Mr. J. H. SINCLAIR: Surely subsection 8 gives ample power to the proper officers and affords necessary precautions for cases of that kind.

Amendment agreed to.

Mr. GUTHRIE: Re-numbering of the subsections follows as a matter of course.

Mr. DENIS: In subsection 1, it is provided that when a person has been arrested during polling day, the order for his arrest will not hold good after the close of the poll. If a deputy returning officer wants to lodge a complaint against a person who has been arrested by him during the day, he should be given some time after the closing of the poll to prepare and lodge his complaint, but under this subsection the person arrested would be set free at six o'clock. Why not say that such order signed by the deputy returning officer shall hold good until nine or ten o'clock of the same night, in order to give the deputy returning officer some time in which to lodge a complaint if he wants to do so? Until six o'clock the deputy returning officer is engaged and consequently is unable to prepare and lodge such a complaint.

Mr. GUTHRIE: This is a very old clause and I do not know that much would be gained by amending it. To keep a man, who may probably be innocent, locked up all day without sending him before a magistrate, would be dealing very harshly with him.

Mr. ARTHURS: Subsection 8 reads:

Every poll clerk shall have the authority of a constable for the purpose of carrying out the provisions of this Act respecting summary proceedings in cases of personation.

Why should he not have that authority in every case and not merely in a case of personation?

Mr. GUTHRIE: This clause has stood the test of time and I do not see that much is to be gained by amending it.