

their individual liberties so that the good of the nation may be enhanced. This is the object of the Bill: to put a stop to the intense corruption to which the candidates are almost forced to resort, by the necessity in which they stand to-day of paying for the transport of electors to the poll. I have not heard any plausible objections yet made to the Bill. I think it will tend towards securing purity in elections, although I do not pretend that it will have the effect of putting a stop to all corruption. Doubtless some other way will be discovered of purchasing electors, of bribing their consciences, but the passage of this Bill will do something towards taking away from the enemy that source of corruption. At the present time a great many men enjoying the right to vote are out of the country, and if we force them to be present a great amount of money will be saved to the candidates, a great source of corruption avoided, and a great improvement will be made on the present system. I have also been told that an elector might not like to go to the poll and vote, but the Bill provides that in such a case an elector would have to write to the revising barrister—and an interval of 30 days has been suggested, although we might make it longer—asking the revising barrister to erase his name. His name will then be erased, and he will no longer be an elector, and the candidates will not be at the trouble of looking him up and sending for him. This would greatly simplify the law as compared with the present system, and greatly lessen the work of the candidates and the anxiety of all interested parties, and would tend, as I said before, towards the purity of elections, which is my only motive in introducing this Bill. I hope the measure will not be looked upon as a party measure in any sense, either in fact or in intention, and I hope that if the Government see no harm in it, they will take charge of it so as to secure its passage during the present session.

Sir JOHN THOMPSON. The Bill which the hon. member has just moved is altogether too important to be treated like the measures which were referred to a select committee for consideration, because it involves an entirely new principle. The other Bills applied to details of the Franchise Act, the Controverted Elections Act, and the Elections Act, but this Bill makes a fundamental change in our system of voting, and I feel bound to call the attention of the House to it, because the principle is one that certainly should not be adopted in silence. My own impression is that the Bill is a very severe restriction, not only on liberty, as the hon. gentleman has said, but on the right of choice of the electors. The condition of things occurring in an election contest in any electoral district when all the candidates are distasteful to an elector, is one that very often occurs. This Bill, under such circumstances, compels him to vote for a candidate who he thinks ought not to be a representative.

Mr. AMYOT. He may spoil his ballot.

Sir JOHN THOMPSON. The principle of this Bill is that a person shall be subject to a penalty because he does not vote for a candidate who he thinks ought not to be elected, or else he must perpetrate a fraud and deceive the returning officer by pretending to vote when he does not vote. At the election it is intended to supply ballots, not for the purpose of electors spoiling them, but for the purpose of enabling them to vote. This Bill

Mr. AMYOT.

will compel a man either to spoil a ballot or violate his conscience by voting for a man who he does not think qualified to represent his constituency. To spoil the ballot would be merely to evade this Act. Every line of the Bill is open to objections of the same kind. For instance, he must have "a valid and sufficient excuse," and the burden of proof as to the validity and sufficiency of the excuse is upon him, and it is a matter of pleading. But the authority before whom the penalty is collected is to be the judge of the "valid and sufficient excuse." One cannot tell, and no guide is furnished by the Bill, as to how the judge or magistrate is to decide whether the excuse is valid or not, whether it is from personal inability, as on account of illness, distance of the poll, or disinclination to make a choice between the candidates. Then he is to "appear at the polling station of his electoral division where he is entitled to vote, in order to apply for and receive a ballot paper and exercise his franchise according to law." The Bill falls short of the hon. gentleman's intentions, because it requires him to be there for that purpose, but it does not require him to carry that purpose into effect. Then mark the severity of the penalty. It may reach \$50 with costs, or, in default of payment, a term of imprisonment not exceeding thirty days, and also to be disqualified from voting at any election during the next five years. So an elector has to violate his conscience by voting for some person who he does not believe should represent the county, or pretend to vote when he does not vote, or be disqualified for five years, although in the meantime a suitable candidate may come forward. The second section enables any person of full age to exact this penalty and put it in his pocket. There are very few cases in which people should be subjected to a procedure of that kind. In nearly all of those cases where the informer is rewarded out of the fine, the proceeding is subject to the supervision of some public officer; but in this case every person of full age may sue for the penalty.

Mr. MILLS (Bothwell). That is the law now.

Sir JOHN THOMPSON. It is the law in some cases, and in every case it is a bad law, and of late years has never been adopted by Parliament, that I can remember. There are several bad laws on this subject, and the action of Parliament has been growing stricter on that point of late years. The Bill further provides that "upon receipt of a duly certified copy of the final judgment, the revising officer shall strike off the list of electors the name of the elector (who is disqualified for five years) and in default of doing so he shall be held guilty of a misdemeanour." Section five is the only one in which an attempt is made to preserve freedom of choice, and that enables the elector to go to the revising officer and have his name struck off the list in force, providing he does so 30 days before the election. But that is at a time when candidates have not been nominated according to law, and it is impossible for him to tell who may come forward; and by fixing so remote a time, 30 days before the election, perhaps before any general election is announced, or any writ issued for a bye-election, it is impossible for an elector to tell whether he will desire to vote or not. The Bill, of course, involves a principle of very great importance, besides being objectionable as regards these details; and in order