

'objected to' on the poll-book which would come in question before the county judge. In place of four days, the time might be extended when the application is made under this amendment.

The **MINISTER OF MARINE AND FISHERIES**. But, the candidate would not know anything about it until after the application was served.

Mr. MARTIN. As soon as the election is over, on the eve of the election, the candidates or their friends know exactly how many votes had been objected to at each polling division. If the vote has been close they can easily go over the number of votes objected to in the riding, and come to a conclusion as to how many of these they could strike off. The Minister of Marine and Fisheries knows the great expense and delay of proceeding under the Controverted Elections Act, and he knows that my proposal is a very simple and expeditious way of doing it. My only object is to make the Bill as satisfactory to Prince Edward Island as possible.

The **MINISTER OF MARINE AND FISHERIES**. Hear, hear.

Mr. MARTIN. If the minister thinks that four days is too short a time, it can be made ten days if he likes. I think every one of the objections he has raised may be overcome. We find now that the Acts which we had in force some years ago, while suited to those times, do not suit the present time. There are new schemes now—the Ontario machine amongst them—which were not thought of years ago, and we must try to make this Bill as perfect as possible in order to meet these cases.

The **MINISTER OF MARINE AND FISHERIES**. I would like to point out to my hon. friend that we have had the Franchise Act, under which the voting for this House takes place, in operation for very many years in Prince Edward Island; but, nobody there has ever suggested that we should have in the local elections the machinery which we have here suggested. They have a Controverted Elections Act there as we have here, and if any votes are attacked on the ground of the qualifications being irregular or wanting, it must be done by an election petition. If you can see any way of simplifying the Controverted Elections Act, I will join hands with you. If the deputy returning officer counts votes wrongly, against me or against my hon. friend, we have a right to have the votes recounted before the judge at once; but to superadd to that an Act to provide for a scrutiny, appears to me to be impossible.

Mr. CASGRAIN. So far as I understand the election law of Prince Edward Island, the manner in which the list is made there on election day is so different from the practice in any other province of the Dominion, that it seems to me some machinery should

be provided to rectify the judgment of the returning officer as to the qualifications of the voters. I understand that in Prince Edward Island there are no electoral lists at all; but a man comes up to vote, and it is then that the question of his qualification is decided; and by whom is it decided? It is decided by the deputy returning officer.

The **MINISTER OF MARINE AND FISHERIES**. By the oath of the man himself.

Mr. CASGRAIN. If he is questioned, he is bound to give certain answers upon oath, and then the deputy returning officer decides whether or not the man has a right to vote.

The **MINISTER OF MARINE AND FISHERIES**. Then he votes. The returning officer cannot exclude his vote.

Mr. CASGRAIN. However, the deputy returning officer is vested with certain judicial power and a certain discretion.

The **MINISTER OF MARINE AND FISHERIES**. My hon. friend is wrong there. He has no judicial discretion.

Mr. CASGRAIN. Then, my information is wrong.

The **MINISTER OF MARINE AND FISHERIES**. Three or four of us here have been through elections in Prince Edward Island for the last thirty years. There is no discretion on the part of the deputy returning officer. If a man comes up claiming an electoral qualification upon a piece of land and takes the oath prescribed by the statute, his vote has to be recorded.

Mr. MARTIN. It may be marked 'objected to.'

Mr. CASGRAIN. In most other provinces, before the day on which the voting takes place, interested parties have a right to contest a man's vote, and appeal to a judge from the decision of the municipal authorities, or those who make the list, and you have a judicial decision.

The **MINISTER OF MARINE AND FISHERIES**. Not in the North-west.

Mr. CASGRAIN. It is the case in all the other provinces, except the North-west. In Prince Edward Island you have no such remedy. Now, it seems to me that if you can remedy the decision of the returning officer as to ballots which have been improperly rejected, you should have some machinery by which you could also remedy the other abuse which exists in the fact that a man not qualified to vote has voted. Everybody knows that under the Controverted Elections Act the proceedings are very expensive and occupy a very long time. What I would suggest would be to substitute the scrutiny. My hon. friend says the practical difficulty would be the short time for the notice. Then, why not extend the time for Prince Edward Island? It would be

Mr. MARTIN.