

how there came to be 215 rejected ballots, and we felt that a recount would have tended to explain it. This brings me to the point—I wish to point out a defect in the section referring to a recount. As the law is now, and as it is proposed by the Solicitor General in the Bill before the House—

Mr. MONTAGUE. I understand the hon. gentleman (Mr. Britton) to say that there were 215 rejected ballots in Kingston. For whom were they marked?

Mr. BRITTON. I do not know; there was no recount.

Mr. WALLACE. What was the hon. gentleman's (Mr. Britton's) majority?

Mr. BRITTON. One hundred and fifty-two.

Mr. WALLACE. Then, we may have the wrong man in the House.

Mr. BRITTON. That is so; and you may have a man in the House returned as only having 152 majority when he had 252 or more. It will be remembered that I or the Liberal party had nothing to say about the appointment of the returning officer or the deputy returning officers.

Mr. MONTAGUE. I thought the hon. gentleman (Mr. Britton) said there was a recount.

Mr. BRITTON. No. I was going on to say that there was a defect in the law in regard to recount. I think the law should be, and I think it is in fact that any candidate has the right to have a recount even if he is returned.

Mr. MONTAGUE. It is only in the local where there is any restriction as to recount.

Mr. BRITTON. If the hon. gentleman (Mr. Montague) will allow me to make my explanation, he will see the point that I am trying to make. While a recount is open to any candidate, it is contemplated under the law that the only candidate who will apply for a recount is the defeated candidate. As a preliminary to a recount, the candidate who applies for it must deposit \$100. At the conclusion of the recount, if the result has not been altered—I do not mean the result as to majority, but if the same person who has been declared elected by the returning officer, is declared elected on the recount by the judge—the person applying for the recount, even though he may be the successful candidate has to pay all the costs. That is objectionable.

Mr. MONTAGUE. He would rather pay it than have the result changed.

Mr. BRITTON. Yes, but a candidate might wish to ascertain, as in our case, what was the cause of there being so many rejected ballots. But the successful candidate was not in a position to look after these ballots or to find out anything about them, unless he was prepared to sacrifice

the cost of a recount. In many cases the successful candidate has no object in having a recount unless it is to increase his majority or to gratify his curiosity to see why certain ballots were rejected. But now under section 90 he cannot ascertain that unless he is prepared to pay \$100, and not only that, but the costs of his own side as well as the opposition side.

Mr. N. CLARKE WALLACE (West York). I am glad to find that the Solicitor General and the government have come down from the position they took in this Bill wherein they say that the following persons shall be disqualified and incompetent to vote at any Dominion election:

Officers and men under the Militia Act in the permanent force, officers and men of the North-west Mounted Police.

The Solicitor General and the government have once more sounded public opinion. But this is no doubt what the government desired to have done. It embodies their idea of what kind of legislation we should have, and what persons should be disfranchised. And who do they put alongside of them?

Persons disfranchised for corrupt practices, persons disfranchised for taking bribes under section 15.

And so on. I do not think it is necessary to use any argument why officers and men of the permanent force, and officers and men of the North-west Mounted Police should be permitted to vote, because the government are now going to remove the disabilities which they had decided to place upon those men. I hope they will go further in the same direction, and will make such a provision as was suggested in the early part of the session, to enable those who are in South Africa to have their names recorded on the voters' list. I would suggest that the names who are already on the list be continued there notwithstanding their absence. Besides, a good many have become of age within the last six or eight months, many of those who have gone to South Africa, and they should be accorded an opportunity of having their names placed on the list. I would, therefore, call the attention of the Solicitor General to the desirability of making such a provision. A little while ago the Solicitor General, in answering the leader of the opposition, said that this was an Election Act and not a Franchise Act. Well, if it is not a Franchise Act, why does he disfranchise men in it? Would he explain that to the House? He proposed, as I have said, to disfranchise all the men in the permanent corps, and all the men in the North-west Mounted Police. I think that would constitute this a disfranchising Bill. Now, I wish to say with regard to this Bill, and with regard to the previous legislation on the same subject, that it is undoubtedly a

Mr. BRITTON.