

not on the ballot-paper has claimed to be elected. The voter may say, "I vote for Mr. Smith," and there is no indication of who Mr. Smith is. How is he going to be identified? Any old Smith can come along and claim the election.

Hon. Sir JAMES LOUGHEED: The language is quite clear. The ballot is not rejected if it is possible to ascertain the intention by mere inspection.

Hon. M. CLORAN: But if the intention of the voter becomes apparent, the special returning officer decides.

Some Hon. SENATORS: Order.

Hon. Mr. CLORAN: We are not fighting on party lines. I am asking for information so that this clause may be made clear. I am surprised that the gentlemen behind the leader of the Government are not as considerate as he is. He is quite willing to give the information.

Hon. Sir JAMES LOUGHEED: I am glad to answer.

Hon. Mr. CLORAN: All I have to say is that there still exists a lurking danger. Such things as I have mentioned have happened, not only in time of war but in time of peace, and men have claimed elections because the candidate was not properly described.

Subsection 7 of section 12 was agreed to.

On subsection 8 of section 12—ballot-box not received on time, or appearing to be opened, defective certificate, or envelope appearing to be opened:

Hon. Mr. THOMPSON: That means the box would not be examined at all.

Hon. Mr. DOMVILLE: That is what it says.

Hon. Mr. THOMPSON: It would be thrown aside and not considered.

Hon. Sir JAMES LOUGHEED: If it appears that the box has been tampered with it will not be used, and the reason why it has not been examined will be stated.

Hon. Mr. THOMPSON: Will it be thrown aside definitely?

Hon. Mr. CLORAN: It should be ascertained who has tampered with the box.

Hon. Sir JAMES LOUGHEED: If it has been tampered with, it is useless to examine it.

Hon. Mr. THOMPSON: The only inference I can draw from that section is

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that a person having a knowledge of the contents of the box might do damage to it if he were not in sympathy with the contents.

Hon. Sir JAMES LOUGHEED: The same condition might arise from various causes. Assuming that any one wanted to destroy the result of the vote contained in the box, he might destroy the box.

Hon. Mr. THOMPSON: I do not think it ought to be thrown absolutely to one side. I think it should come forward to this country or to some place where it could be looked into.

Hon. Sir JAMES LOUGHEED: It will come forward, but it will not be looked into by the overseas officers.

Hon. Mr. CHOQUETTE: Do I understand, then, that the votes will be lost, or can we get an order from a judge in that district to open the box?

Hon. Sir JAMES LOUGHEED: The boxes will be sent to Canada. They will be amongst the documents of the election returns, and it will be for the Government or Parliament to determine what is to be done with those boxes.

Hon. Mr. THOMPSON: Would not the result of the election have been declared and the candidates elected before such dealing with that box could have any influence upon the election?

Hon. Mr. CLORAN: This Bill is going to open up a very fat field for lawyers in contested elections. The lawyers throughout the Dominion of Canada are going to have a nice time of it.

Hon. Sir JAMES LOUGHEED: They have to live, you know. My honourable friend belongs to the legal profession.

Hon. Mr. CLORAN: I do.

Hon. Sir JAMES LOUGHEED: If the honourable gentleman looks at the last part of subsection 10 he will see that the boxes are to be returned to Canada.

Hon. Mr. THOMPSON: Does not the Secretary of the High Commissioner's office practically handle the elections over there, and does he not determine the results of the vote before he returns the ballots to Canada?

Hon. Sir JAMES LOUGHEED: Yes, but in any contested or controverted election the results may be finally changed after