

Mr. MACNICOL: That is what we are trying to find out now.

Hon. Mr. STEWART: Under the law as it stands, subject to correction by the lawyers or others who are more acquainted with it than I am, you would take a by-election under the existing list. I think that is correct.

Mr. FACTOR: That is correct.

Hon. Mr. STEVENS: That is without any interference or any further act on our part. But it does not prevent us from considering ways and means of dealing with by-elections along the lines suggested by Colonel Thompson. I do think we must recognize the principle that is involved. I would suggest, Mr. Chairman, first we should determine that principle, and secondly we should then remit this question to a sub-committee, a very small one of four or five, and let them later report to this committee on this particular point. That is the suggestion I would make.

Mr. TURGEON: I should like to say one word. I both agree and disagree with some of the suggestions of Mr. Stevens. I think we have two distinct problems here, and that one arises out of the other. There is apparently in the Commons a general feeling that the Franchise Act and Elections Act should be changed and amended right away, and that creates a problem. The problem is how we are going to deal with a by-election that might come more or less suddenly. I do not think that we have to consider, Mr. Stevens, the question of the permanent list as a matter of principle in order to deal with the other question of the emergency by-election.

Hon. Mr. STEWART: That is not what I had in mind.

Mr. TURGEON: I suggest this, that we appoint a sub-committee for the purpose purely of providing an amendment to be inserted that, notwithstanding any of the provisions of the act which will leave it as it is, if a by-election should occur within such and such a time, the following should be the procedure, and I am inclined to like Mr. Stewart's procedure, perhaps added to by the alternative suggestion of Colonel Thompson. Both might be made applicable. But I do not think that we have to order the committee's line of procedure on the application of the general principle when they are dealing only with provisions for a by-election. That would be my suggestion. Then we could go back; and I should be glad, as part of a general committee, to take part in any discussion of the principle of a permanent list, one way or another. But I think our committee should be relieved of that and instructed simply to make a recommendation providing for an emergency election.

Mr. MACNICOL: That, Mr. Chairman, is the purpose of the committee, is it not?

The CHAIRMAN: Yes.

Mr. MACNICOL: The House itself apparently was unanimous, or largely unanimous, that the present act should be abolished, and that a new Act should be substituted. It was with that apparent unanimity that the question as to how to provide for a by-election came up before the House. Personally, I endorse very largely Mr. Stewart's suggestion.

The CHAIRMAN: That is the only matter that is before the committee at the moment. Of course, we have the broader question of studying the whole Election Act, and the important thing for this committee to do is to figure out some way of holding by-elections as speedily as possible.

Mr. MACNICOL: I support the suggestion of Mr. Stewart and also that of Mr. Stevens that a small sub-committee of this committee be named to draft a recommendation to the whole committee as to what is to be done for the holding of by-elections. There may not be one held before we have the new Act prepared, but in the event of one being held, the work of this committee is to provide primarily, apparently, for the machinery under which a by-election shall be held; and I think that is the first thing for us to do.