

*Elections Act*

or foul—and this is fair means under the act—could very easily in the last two hours of voting challenge enough people to block the polls. It is all very well to say there are ten hours to vote, but even ten hours with three hundred voters means a voter every two minutes during the whole day. This affidavit will take five minutes to get signed if it is properly done.

An hon. MEMBER: More than that.

Mr. DUPRE: No.

Mr. POWER: The Solicitor General says no. I think it was the Minister of Justice, or perhaps the Prime Minister who said they wished to correct the present system whereby a voter comes in and they say, "You swear to this," and that is all. It is much easier to say, "You sign this." They will not go through all the formality of swearing, they will just say, "Sign this," and they will sign. If a man is going to telegraph he will sign anything, he will sign his cross, and how can you identify him afterwards?

Mr. MacNICOL: He won't be able to vote irregularly as often.

Mr. POWER: It is all very well for the Minister of Railways to say, "That is different, this is not impersonation, this is forgery." He thinks it is going to be made more difficult because another crime is piled on top of the crime that already exists. I wonder if my hon. friend the Minister of Railways ever saw a properly drawn election petition. A man whose election is protested is accused of every crime they can think of.

Mr. MANION: They never contest mine.

Mr. POWER: No, there is always a saw-off in Ontario, I understand.

Mr. MANION: Never had a saw-off in any of mine.

Mr. POWER: If my hon. friend ever saw an election petition he would be appalled at the number of crimes you can commit under the Dominion Elections Act already.

Mr. MANION: My hon. friend ought to know.

Mr. POWER: Everything from hiring a man to drive voters to the polls—which I thought was absurd—to personation, subornation of personation, and the Lord knows how many other crimes. To add another crime that of perjury will not change the attitude of the person who intends to poll a vote which he is not entitled to poll. I can assure my hon. friend that the only effect this can possibly have is first to prevent the honest

[Mr. Power.]

man from voting. In my early days it was considered quite a favourite trick to challenge the most respectable man on the opposite side, to say, "Now we will put the oath to this fellow and he will probably walk out of the polling booth insulted." He will be far more insulted if you ask him to sign; he will say, "I'll be darned if I'm going to sign." I maintain that given the idea of winning the election, in any polling subdivision where it is fairly certain that one party is predominant, a scrutineer with a certain amount of courage by insisting on these affidavits in the last two hours of voting can block the polls. He can keep twenty-five per cent of the voters in a labour constituency from voting.

An hon. MEMBER: More than that.

Mr. POWER: I can tell my hon. friend the Solicitor General these people can do that if they so desire, there would be nothing fraudulent in it, you could not attack them under this or any other act, they would be performing a perfectly legal action by insisting on every voter who came in after five o'clock being obliged to sign the affidavit. I ask my hon. friend in all conscience to imagine what would happen in St. Sauveur should such tactics be tried either by his side or ours. I think the mounted police would have to come back from Regina.

Mr. DUPRE: The same thing could be done under the old law, and it was not done.

Mr. POWER: The same thing could be done by way of swearing, yes. But it will take far more time for this affidavit to be drawn.

Mr. DUPRE: No, it is very short.

Mr. POWER: Honest people will argue for hours before they will put their signature to a document, but those who are voting dishonestly will take only a second to write their names, they will sign crosses, and they will be gone. It is easy for those who wish to sign an affidavit and so blind themselves to the truth to do so; we all know that in our practice in the courts, but it is extremely difficult to get a man to come before the court and swear to the same thing that he will put his signature to. The dishonest man, or the man who is not fully conscious of his duty, will sign this paper in a moment. The honest man will absolutely refuse to do so, and the unjust scrutineer, particularly if he is backed by a partisan returning officer, can prevent the true expression of the people through their votes. That is why I am opposing this affidavit.