After Recess.

The House resumed at eight o'clock.

PRIVATE BILLS.

FIRST READINGS.

Bill No. 51, respecting the Dominion Fire Insurance Company.—Mr. Mowat.

Bill No. 52, to incorporate the Western Canadian Union Corporation of the Seventh-day Adventists.—Mr. Mackie (Edmonton).

CANADA SECURITY ASSURANCE COMPANY.

On the motion of Mr. H. M. Mowat (Parkdale) the House went into committee to consider Bill No. 18 to incorporate Canada Security Assurance Company.

On section 8—acquisition of property of Alberta company.

Mr. CAHILL: Will the member in charge of the Bill explain this section?

Mr. MOWAT: The company own all the capital stock of the Canada Security Assurance Company—a corporation of the same name—incorporated under the statutes of Alberta, and they desire to acquire the whole capital stock of the Alberta company and to do business under the powers given by this Bill.

Section agreed to.

Bill reported and read a third time and passed.

DOMINION FRANCHISE ACT.

The House again in committee on Bill No. 12, respecting the election of members of the House of Commons and the Electoral Franchise, Mr. Boivin in the Chair.

On section 59—corrections in list and entries in poll book:

Mr. MACKENZIE KING: Is this the same as in the old Act?

Mr. GUTHRIE: There is a slight change in the language, and Prince Edward Island is left out.

On section 60—secrecy during poll:

Mr. MACKENZIE KING: That is a consolidation of the old section?

Mr. GUTHRIE: A consolidation.

Section agreed to.

On section 61—ballot not to be displayed:

Mr. GUTHRIE: The Parliamentary Counsel has suggested an amendment to this section which I think is proper. I beg to move:

That clause 61 be amended by inserting after the word "when" in the first line of said clause the words "unable to read or."

Mr. MACKENZIE KING: There is nothing in this other than what is in the old Act?

Mr. GUTHRIE: That is all.

Amendment agreed to, and section as amended agreed to.

On section 62—manner of voting:

Mr. GUTHRIE: There is an amendment to subsection 2. I move:

That clause 62 be amended by inserting after the word "is" in line 23, page 42 of the Bill the words "unable to read or."

Amendment agreed to.

Mr. MACKENZIE KING: The rest of the section, I think, is a consolidation of the old Act except that there is a new provision here. I would like to read it and ask the minister if he has any comment to make.

Provided that where the deputy returning officer has inadvertently omitted to remove the counterfoil from the ballot paper before placing such ballot paper in the ballot box, he may, exercising care however that the number on such counterfoil be not seen by any person present and without himself examining such number, remove and destroy such counterfoil at the counting of the ballots; and the judge who may conduct any recount proceedings shall have the like power, inadvertence on the part of the deputy returning officer being, for the purposes of the recount, presumed. The ballots, if otherwise in proper form, shall be counted as if the counterfoil had been at the proper time removed therefrom.

What is the significance of that proviso?

Mr. GUTHRIE: The proviso is drawn by Mr. W. F. O'Connor, K.C., who had a good deal to do with the drafting of the Bill. In the history of election matters it has been found in quite a number of instances, that through inadvertence, the returning officer on receiving the ballot from the voter will place it in the ballot box without removing the counterfoil. When a recount takes place the question arises whether this is or is not a spoiled ballot. It would be wrong to deprive a man of his vote through the inadvertence of the returning officer, and if the returning officer should remove the counterfoil without exposing the ballot, it would be considered a good ballot. A like consideration would apply before a judge engaged in the making of a recount. I have known of cases in recounts where ballots are found with the counterfoil attached. I remember that on one occasion a judge held in one place that those ballots were good