

I put two questions to my right hon. friend in order that we may be clear upon this. This overlapping is to be interpreted as referring to the polling subdivisions which are cut by the boundary of the federal constituency and to no others?

Sir WILFRID LAURIER. Hear, hear.

Mr. FOSTER. And this work contemplated in that first section is to apply to that kind of polling division and to no other? There we are agreed.

Sir WILFRID LAURIER. Hear, hear.

Mr. FOSTER. The astounding thing about it, and what makes me discount my right hon. friend's proof, or what he thinks is proof and evidence sufficient to make this legislation necessary, is that my right hon. friend has sat in this House for eight days, has listened to the whole discussion and did not know until this afternoon, and may be does not know yet, for he says he does not, that the returning officers in 1904 went beyond the overlapping polling divisions and redistributed the polling divisions which were absolutely within the boundaries of the federal constituency and that two-thirds of the cases in which they interfered were polling divisions of that kind and not polling divisions which were intersected by the boundary of the Dominion or federal constituency. More news for my right hon. friend probably. No prosecution was launched against a returning officer in Manitoba for what he did in 1904 in so far as his action was concerned alone with an overlapping polling division. The returning officers were prosecuted because they went beyond the power given by the Dominion Act, and, after having distributed the overlapping polling divisions, went to work and redistributed large numbers of the polling divisions in Manitoba which were not overlapping and which they should not have touched. My right hon. friend will find that to be true. How could they institute a prosecution against your returning officer if he did simply and only what your Act authorizes him to do? What your Act authorized him to do was to distribute the names in an overlapping intersected polling division. For that Manitoba brought no prosecution, the prosecutions were for interference with polling divisions inside a constituency which were not intersected at all.

Mr. CLARKE. Where did they distribute those inside?

Mr. FOSTER. The Lord knows. They distributed them all through, they took off one and added to another all over the province and the hero Leach, to whose defence my right hon. friend came this afternoon, the hero, the moral reformer, Leach, who did this work largely as Liberal organizer

for the returning officers, swore in his testimony that he took good care, mighty good care that the Liberal-Conservatives did not know what they were doing and did not get on the track of the redistribution that was made. My right hon. friend will not question that; it is in 'Hansard.'

I ask my right hon. friend to think for a moment of the situation of things in 1904 in connection with that business of the thin red line, as he calls it—I ask him to sense the position. He gave orders under the law to the returning officers to distribute the overlapping polling divisions, that was legal, they had a right to do it. Does he consider that it was right that when the returning officer received the King's Printer's list which was for him and his deputy returning officers alone, he should send it, or take it to the rooms of the Liberal organizer of the city of Winnipeg, give the list into his hands for days, tell him to do practically what he liked with them, and then when it was finally received from Mr. Leach's office, without looking through or certifying to himself in any respect that that list had not been wrongly tampered with, use it as the official list? Does he consider that was proper? That is the gravamen of the red line business. What would you think if within the province of Ontario you were to send out the King's Printer's list to the returning officers and that these returning officers around about the city of Toronto should bring those lists in to the Liberal organizer of the province of Ontario, Mr. Inwood, deliver them over into his hands, and if there was the same overlapping in the province of Ontario, have him do the redistributing secretly, stealing a march on his opponents and then simply use the lists that had been arranged in Mr. Inwood's office. How would he consider action of that kind? He would believe with me that it would raise a revolution in the province of Ontario. It was absolutely that and nothing else than that that Leach did. But Mr. Leach was not an officer of the Dominion government quoad the electoral lists. It was the returning officer who put these into the hands of Mr. Leach who was the criminal. Mr. Leach is a man of judgment and common sense. Does the right hon. Prime Minister think that it is the highest type of man who takes hold of lists, given to him by a returning officer, sworn to keep these lists and to certify to them himself, sworn to do what is necessary in the way of rearranging the voters' lists, does my right hon. friend think that it is indicative of a finely spirited and finely conscientious man, one to make a hero of, who, as organizer for the province of Manitoba, would take these lists and erase and add to them, do it through the whole province of Manitoba, and do it to the detriment of the party to which he is opposed, taking good care that they shall not know