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Mr. BORDEN SPEAKS  
ON THE ELECTION BILL

Clause 1 Imposes on Manitoba and British Columbia an Invidious and Unjustifiable Discrimination. Why Single out those two Provinces?

Mr. Borden in opening said that Mr. Carvell evidently did not think the people of Manitoba or their representatives in the legislature capable of forming laws. He seemed to forget that under the policy deliberately adopted by the party, of which he was a member in 1885, and put into practice by that party in 1898, to the people of each province has been delegated power to deal with the franchise, not only so far as the provincial elections are concerned, but so far as federal elections are concerned. He seemed to forget also that not only by the terms of his leaders' speeches in 1885 and 1898, but also by the exact terms of the resolution moved by his leader, in 1885, to the provinces of Canada was to be conferred the duty of preparing the voters lists, upon which members shall be selected, yet in a speech full of sound and fury he has informed the people of Manitoba of the ignorance and ineptitude of their legislators, and instructed them how the lists of that province should be prepared.

The speech which has been delivered this afternoon shows the absolute absurdity of the government's proposal from the very first, because we have here 215 or 216 men, or as many of them as choose to be present for the purpose of hearing him, listening to a long discussion, which, if proper at all, would have been proper in the legislature of Manitoba, and not in the parliament of Canada. Mr. Borden pointed out, that under every system, whether it be based upon municipal assessment or based upon a system of registration, injustices are bound to occur.

Mr. Borden then took up for the education of Carvell, a case of his own province of New Brunswick, the stuffing of ballot boxes in Rothsay to the extent of 410 names. A list which should have contained ninety names was found to have had 400 names added to it. The government had been urged to take action, yet no attempt was ever made to prosecute the guilty parties. Mr. Borden thought Carvell was sensitive about frauds. He was apparently sensitive about alleged frauds in Manitoba, yet absolutely callous about frauds in his own province.

Mr. Borden read from the words of the chief justice of New Brunswick with regard to the particular question. He pointed out that it was absolutely absurd for anyone to go into detail of time and place and seek to convince them that the forty five men in the Manitoba legislature were so ignorant of their local requirements, that they should be instructed as to what is best and most convenient method of dealing with the matter.

Mr. Borden pointed out that the opposition in 1896 left Canada without a single dollar to provide for the public service after June 30, that is after the expiry of the fiscal year. The minister of finance pleaded for two months' supply in order that a public service after June 30 might be had. The men behind Sir Wilfrid Laurier, the then leader of the opposition, shook their fists in his face and declared he should not have a dollar to carry on the public service. Sir Wilfrid Laurier, the then leader of the opposition has been quoted as supporting the principle of provincial lists. He had objected because the whole quotation had not been made.

Here it is went on Mr. Borden, "But if the day comes when a fraud is committed against this parliament when legislation of a hostile character

is brought forward in the legislature, then it will always be open to this parliament to resume its own powers and to enact a franchise law of its own."

"The declaration," went on Mr. Borden, "is that parliament may intervene when a fraud is committed against this parliament, when legislation of a hostile character is brought forward in the legislature. Where is the fraud in the legislature of Manitoba, has anyone on the other side, he has himself been able to point it out? Of what fraud was he speaking of a fraud against one political party or the other, or a fraud against the electorate as a whole. So far as any preference of one or the other under the legislation of Manitoba is concerned, it seems to me that there is not the slightest foundation for saying that such a condition exists."

If there is any inconvenience, if, as a necessary result of the legislation of the province, some names may be left off the lists, which should be included in the lists, which should not be included, I say that the legislation of Manitoba possesses that characteristic in common with every legislation touching the preparation of the voters list, and I will give him some illustrations from the province of Nova Scotia."

Mr. Borden pointed out that not a Liberal member in the Manitoba House had objected to the lists "Of what use is a party system in a province if Liberal members are not prepared to come forward and put their opinions of this law, so far as they regard it as defective and unjust, and to ask that these defects should be remedied."

In Nova Scotia we have asked the government of the day that the present appeal to the partisan sheriff of the province should be done away with, and that appeal might be given to county court judges. All I say that the Conservatives of Nova Scotia today would hail with delight any proposal to put into force a measure so absolutely fair and reasonable as that which has been discussed so much, and which is today the law of Manitoba. I have been surprised that so little fault could be found with the legislation of the province of Manitoba. We know that laws have been enacted by this parliament, even after most careful revision by two branches of the legislature, are over and over again found defective. We know that the government comes down year after year with amendments and this law enacted by the legislature of Manitoba, under Conservative administration, has been the subject of so little criticism, that I say I do not believe that there is in this Dominion of Canada a province which can show legislation more satisfactory, more fair, or more effective than which we have been discussing."

Mr. Borden showed the weakness of the law in Nova Scotia, and how much more partisan and how much more unsatisfactory it was than the Manitoba law. He pointed out that sheriffs appointed by the government and not as in Manitoba, county judges, heard appeals. He gave instance after instance of voters being disfranchised.

Very frequently names are found on the final lists, which were never before a revision court, or before the sheriff on appeal. It is impossible to tell who does the padding, whether it is the sheriff or the clerk in whose custody the lists are placed. In either

case there is no punishment provided for the culprit who does it. The premier was pretty frank about the motives for interfering in the case, and I would direct the attention of the House to his argument in Hansard where he said: "But, sir, I ask if they will not admit that although the legislation which today exists in Manitoba, and the manner in which it is administered, may be satisfactory to the Tories, it is not satisfactory to the Grits, and that is the reason why we have introduced this legislation."

"Well, that is a pretty plain and frank statement," continued Mr. Borden, "on the part of the prime minister, but, after all, what does it amount to. It amounts to this: The Liberal party in 1886 moved a resolution that the principle of observation of the provincial voters lists should be followed. In 1886 they came into power and they put that principle into operation by placing the Dominion franchise act upon the statute book. In 1900 they came to us, not to make a new act, but to revert to that policy which they condemned while in opposition, and when in power as well, to declare to this parliament that, because under the legislation of Manitoba, under the administration of the government selected by the people of that province, the voters' lists are not satisfactory to the Liberals of that province, therefore this parliament of Canada shall legislate. To what result will that lead us in this country? When the Conservatives come into power, assuming that the present system of adhering to provincial lists is adhered to, what would be expected of them."

"Are they to adopt the same principle? In Quebec or Nova Scotia where there were Liberals, will they change the policy, or are the Conservatives in power here, to come to this parliament and say, we will leave British Columbia, we will leave Ontario, we will leave Manitoba alone, because our friends are in the majority there, but we will go into Quebec and Nova Scotia and make lists of our own in these provinces. Is that the principle he proposes in all seriousness, which should be carried out by either party in this country? It does not seem to me it would make good government. So long as you adopt this principle of provincial voters' lists, who are the best judges in respect to time, place, convenience and method in any province? Can the 215 members leave better for Manitoba and British Columbia than the people of those provinces. If they can, why is it that the members of this house cannot judge better for the provinces of Quebec and Nova Scotia than can the legislators."

I once more confess I am extremely puzzled to ascertain any real considerations of public policy which justify the government in proceeding with the first clause of this bill. You must deal with the franchise on one principle or the other—it is open to him still to adopt a Dominion non-partisan franchise, and to give the preparation and final revision of the voters' lists all over Canada to the judges, and to persons appointed by the judges, in order that there might be no suspicion of partisan interference. That would be a perfectly intelligible principle for him to go on. It is one that I can understand, and I think appreciate, or can he adopt the principle which he did adopt in 1886 by giving to each province the full right to determine its own franchise, and prepare the voters lists, not only for election of members to the provincial legislatures, but for election of members of this house."

"There are two systems, and the latter system has been adopted by the government. Then comes the question as to what shall be your duty when any complaint is made from the provinces that the voters' lists are not fair."

"If you depart from that system, you could only depart from it in a reasonable way, and by means of a reasonable enquiry. Therefore it would be absolutely unheard of, invidious and unjust, to attempt to do this without the fullest possible investigation by this House into the systems of every province of Canada. Why should Manitoba be enquired into, simply because the Liberal party is in the minority there? Why should you refrain from inquiring into the evils that I have brought to the attention of the House in Nova Scotia? I do not doubt that if you enter into Ontario or Quebec or New Brunswick for that matter you will find that just as serious errors, and as many injustices have taken place under their system as are alleged to have taken place in Manitoba. The principle is a vicious one which says that because the Liberal party is in power in another province and is in a minority in another, therefore the power of this parliament shall be directed against British Columbia and shall be held from Nova Scotia and Quebec."

"This bill which it was first brought down was absolutely absurd that I am glad to see the prime minister has just his name to the introduction of it. The proposition was that because the voters lists in Manitoba and British Columbia were prepared under the administration of persons appointed by the Conservative governments of those provinces, with recourse in every case to judges in the county court, as the ultimate authority to decide upon the addition or

subtraction of any name, therefore, you regard them as being unfair, and you appoint your own partisans with out any direct statement contained in this bill that there should be appeal to judicial authority. A position of that kind needs only to be stated to be laughed out of the house or legislature in any country. If there is any good reason why those lists in Manitoba should be dealt with by us, let us have an inquiry and an investigation, I am prepared to stay here to await it if the other side is prepared to make it. It was the duty of the government to make it long ago, but let him not seek to impose new lists upon Manitoba simply for the reason that the Liberals in Manitoba come to him and complain that these lists are not satisfactory."

"As far as the right honorable gentleman's proposals are concerned I frankly confess I am not able to understand just what the premier did intend to suggest. I have no doubt that he will make me acquainted with his intentions, in fact he has promised to do so, but at the present time I understand the prime minister proposes as far as the allocation of votes in a polling division, out in two by the boundary of federal division, is concerned, that the allocation shall be made not as it is now by the returning officer within any riding, but it shall be made by a county court judge. There has been no difficulty outside Manitoba in doing that, there would be no difficulty in doing that if the returning officers discharged their duties honestly and impartially, and with a full sense of their responsibility."

"But inasmuch as we have had some experience in Manitoba pointing to the conclusion that that is not the case, we are quite prepared to accept his proposition in that regard, and we regard the proposal as a desirable one from that standpoint, so that there might be no suspicion by one party or the other as to the manner in which these votes are allocated. But, beyond that whether the hon. gentleman intends to adhere to the terms of the bill I do not know. I think he said he was not wedded to its terms, but that is a general expression indeed. I confess I have not been able to seize myself of the hon. gentleman's intention as to understand that he is willing to make any considerable departure from its terms. We think, subject to what I have said, that the first section of the bill should be withdrawn. We do not consider it fair that two provinces which have reasonable laws on their statute books for the preparation of lists should be singled out for the reason merely that some persons within these provinces have made complaints to this government as to the unfair operation of these laws. We believe further, that the House should withdraw, or completely modify section 17. I am disposed to believe from what the prime minister said in that regard that it is not his desire or intention to interfere with the goodness of the bill. I firmly believe that he is as much impressed as I am with the necessity of preserving that as a vital principle of our election law."

"The premier pointed out, and like wise his minister of justice, that cases might occur where men are disfranchised through some inadvertent mark, or through some marks made by design upon the ballots. It has been pointed out that all the votes at a particular poll might be thrown out because the mark had been placed inadvertently upon the ballot. Even if there were no other penalty, than that which he suggests, I would not be disposed to concur in this section, because I would regard it as preferable that we should have a new election for that reason, wherever it did occur, than to place upon the statute book an amendment which has the effect of destroying that which is the vital principle of our election law."

was surprised on looking over the election law to find there is no section providing for punishment for the returning officer who makes any marks on ballots before he places them in the box. There is a general but no special provision relating to that offence. I would suggest that the instructions should be so plain and distinct, that he could not fail to understand them and that punishment be dealt out for failure to comply. I would not limit the punishment to the man who did it intentionally, but I hold that the men who did it even by inadvertence and negligence should be subject to some measure of punishment, leaving it to the discretion of the judge to dismiss with a nominal fine or reprimand. A provision of that kind would be more in the interests of the country than that proposed by the government."

"Lastly, I would invite the attention of the prime minister to the question of the absolute simultaneous elections in this country. Except in the Yukon there is no reason why all the elections should not be held on the same day. I cannot concur in the imposing on the province of Manitoba or British Columbia, so invidious and unjustifiable a discrimination as the first clause of this bill makes."

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**HORTICULTURAL SOCIETY**

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A public meeting was held in the police court room on Friday evening pursuant to arrangements made at a meeting held previously for the purpose of forming a horticultural society. There was a fair attendance. The organization was completed and the following officers elected: Hon. Pres.—Lieut.-Gov. Forget. President—Rev. G. C. Hill. Vice Pres.—W. F. Kerr. Treasurer—F. N. Darke. Secretary—L. H. Bennett. Executive—J. Kelso Hunter, J. A. Allan, Geo. Watt, G. S. Gamble, C. M. Clarke, J. T. Stenshorn, Mrs. A. G. Snyder, Mrs. T. B. Patton, Mrs. W. Gee, Mrs. J. R. Peverett, and Mrs. J. A. Cross.

The constitution presented by the provisional committee was adopted. It is as follows: Name—The name of the society shall be The Regina Horticultural and City Improvement Association. Objects—The objects shall be the encouragement of horticulture and the beautifying of the city. Membership—The membership shall include all who pay an annual fee of 50 cents. The officers shall consist of: Honorary President, president, vice president, secretary, treasurer. Executive—The executive shall consist of the officers and eleven other members, of which five shall form a quorum. Annual meeting—The annual meeting shall be held early in March when

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