The SOLICITOR GENERAL. That is the new law.

Mr. LaRIVIERE. The hon. gentleman will notice, that in subsection "e" he refers to the powers of the returning officer appointed under the local Act, not to a registration clerk. The Bill speaks of the returning officer appointed under the local Act, while in the clause from which the hon. gentleman has quoted, the officer is spoken of as the registration clerk.

The SOLICITOR GENERAL. The hon. gentleman will notice, that, under subsection "d":

Where, for any part of a province, polling divisions are not established by or under the laws of the province, but by or under such laws places are fixed where polls shall be opened and held at provincial elections and lists of the voters entitled to vote at such places at such elections have been prepared and are or have been in force polls shall be opened.

Therefore, under section "e," the registration clerk shall make the subdivision by polling divisions.

Mr. BRITTON. This is not a wholly untried experiment. The law in respect to polling subdivisions has been in force in Ontario for the last ten years. I know that the power has not been exercised many times, because it was not necessary, but it has been exercised on several occasions, and never yet has there been any complaint, either on the part of the returning officer or on the part of the voter, in regard to the convenient means provided for registering their votes. In Ontario, the municipality has to divide the wards into polling divisions, and the returning officer has not to register more than 200 votes for each subdivision; but sometimes there are more than 200 voters in one subdivision, and in such case, where there 200, but not more than 300, they are allowed to go to the polling booth. If there are more than 300, he is bound to subdivide the district, and he must do it before nomination day, so as to ensure its announcement at that time, and also at the time notice of election is given. There are cases in which no subdivision has been made, and then the returning officer has not to poll more than 200 voters in any one polling place. That has been the practice, and no fault has been found with it by the returning officer, and no complaint has been made in regard to names being put on or taken off, any more than at an ordinary subdivision. I know that the people of Ontario are pretty good people, and those in New Brunswick are not any worse than in Ontario, and the returning officer, although the nominee of the head of the Liberal party, is there to do his duty, and generally does it. The Liberals have not great reason to complain of returning officers, and I am still more satisfied that the Conservatives have no reason to complain of the Liberal returning officers. The experiment has been tried, and has been found not open to the objection which has been urged against it to-night.

Mr. BENNETT. I call the attention of the Solicitor General to the fact that the polling division shall be established by and under the laws of the province. Ontario polling divisions are not established by the province, but by each municipality. So it might happen that the returning officer, after the writ was placed in his hands, with this Act in front of him, might argue that under the present law of Ontario there are no arrangements for polling divisions, and not having the power to carry out this provision, he might arrange to have all the polling divisions in one place. It should be amended by inserting the word "municipality."

The SOLICITOR GENERAL. The same condition which prevails in Ontario is likewise found in Quebec, that the polling subdivisions are established by the municipality. We find the words are, "shall be established by or under the laws of the province." The municipal authorities appoint the polling division under the provincial law in both provinces. Therefore, the subdivision is created by the municipality, under the law of the province, and it will come under section "d." That was the object, at all events, of putting in the words "by or under the law." My object was to make that section so as to apply to the polling subdivisions established under the municipal by-law, which by-law might be passed by the municipality under the authority of an Act of the local legislature.

Mr. CLANCY. If the hon. gentleman said "by and under," it would make it clearer. The word "or" is alternative, either under the law of the province or under a municipal Act by the authority of the province.

The SOLICITOR GENERAL. I would like to hear from my hon. friend from Simcoe (Mr. Bennett) on that. As I understand it, the polling subdivisions would be those established by the law of the province, or the polling subdivisions would be those established under the law of the province; that is to say, by the municipality acting under the authority of a statute of the local legislature. It seems to me that meets the difficulty exactly.

Mr. BENNETT. How would it be to insert the word "municipal" and make it read "by or under the municipal law of the province." If some one were to so advise the returning officer he might say there is no arrangement of the divisions by any law of the province.

Mr. LISTER. There is.

Mr. BENNETT. True, there is in the sense pointed out by the Solicitor General, but the returning officer might not take that view.