posit being paid sufficient to cover the fees; and let a penalty be imposed for putting on bad votes. I submit that this is a proper amendment to make in the interest of both parties and in the interest of justice, in order to have an honest roll.

Sir JOHN THOMPSON. The hon. member was good enough to mention this matter to me, but I thought his object was sufficiently provided for in sub section 3 of section 25.

Mr. COLTER. That clause is not so interpreted in our county. I submit that it is not sufficiently definite.

Sir JOHN THOMPSON. Does it not provide that in the discretion of the revising officer, if the person whose name is objected to does not attend, his name is struck off?

Mr. COLTER. But the revising officer generally leans in favor of the vote. He has an alternative, and he may dismiss the appeal or strike the voters' name off. All the judges, I believe, and revising officers as well, always lean in favor of the name being retained on the list. I think there ought to be something more definite.

Sir JOHN THOMPSON. I think it would not do to compel the revising officer to strike the name off, because it might be proved that the person had a right to vote; but in that case he ought to be subject to a penalty for contempt in failing to attend.

Mr. BURDETT. I understand that the Minister of Justice interprets the clause to mean that if the party has been subpœnaed and does not attend, the revising officer may strike his name off, and he ought to do it unless good reason is shown why he does not attend.

Sir JOHN THOMPSON. No. I say he ought to strike the name off or fine the party for contempt, unless there is evidence to the contrary.

Mr. COLTER. The doctrine of leaning in favor of the vote, I think, is a generally acknowledged doctrine by all who have anything to do with the revising of the voters' lists.

Sir JOHN THOMPSON. I do not think that presumption ought to prevail if the person applying to be put on the list has been summoned to support his application. I think there should not be any presumption in his favor; there ought to be substantial evidence to prove his qualification.

Mr. COLTER. The fact of the name being on the roll is *prima facie* evidence of its right to be there, and that has been the decision in every case. In not one case, where the party has been subpœnaed, has his name been struck off, unless there has been affirmative evidence given.

Sir JOHN THOMPSON. Does not the hon. gentleman agree with me that if a man's name is on the list, the burden of proof is to take it off, but that cannot prevail in the case of a witness who absent himself and prevents the question being tried. In that case the revising officer should exercise his discretion.

Mr. COLTER. Could it not be made mandatory on the revising officer to strike the name off where the party is guilty of contempt, unless he has reason to believe, from some source, that he has a justifiable excuse for not obeying the mandate of the court?

Mr. TISDALE. I can give an illustration of the result of the hon. gentleman's argument. In one instance, in Ontario, where that law prevails, they suspended half a township of men who had been freeholders for years, and because these men did not turn up, knowing as they did and everybody knowing, that they had held these farms for years, they were struck off the lists. The hon. gentleman is inconsistent, because this afternoon he induced the Minister of Justice to make the assessment roll, which in Ontario is the same as our list of voters, prevail not only as to value but as to the right of the people to vote. Now, as soon as we come to the Dominion Franchise roll, he turns round and wants to apply the opposite doctrine.

Mr. COLTER. I did provide for that particular exception in my remarks, and I think the Minister of Justice so understood me, that the name should *primâ facie* be struck off unless the revising officer had reason to believe the person who had disobeyed the subpœna was entitled to the vote, or unless the evidence of others was furnished him to that effect. These statutes should be made as clear as possible, and their interpretation as uniform as possible. As the case stands, some revising officers would strike off these people who are guilty of contempt on the ground that they were not entitled to any privileges in consequence of their conduct, while others would be guided rather by the doctrine of leaning in favor of the vote. The objection of the hon. member for South Norfolk (Mr. Tisdale) could be remedied in this way. I am adverse to bogus appeals, to appeals in such a way as to cast doubts unnecessarily. The appellant might be obliged to put up a certain sum of money, say $2, as a guarantee of good faith, in the hands of the revising officer, which the latter would apply as directed. In that way we would have no wanton appeals, but simple justice.

Committee rose and reported progress.

CERTIFICATES TO MASTERS AND MATES.

Mr. TUPPER moved that amendments made by the Senate to Bill (No. 26) to amend the Act respecting certificates to masters and mates of ships, chapter 73 of the Revised Statutes, be read the second time and concurred in. He said: The only amendment is to add the word "Bermuda," so as to include that island as well as the West Indies.

Motion agreed to, and amendments concurred in.

SAFETY OF SHIPS.

Mr. TUPPER moved second reading of Bill (No. 54) to amend the Revised Statutes, chapter 77, respecting the safety of ships. He said: This Bill is similar to that introduced last Session, with the exception of the first clause, which excited a certain amount of criticism in the old Bill. On consideration it was deemed expedient not to press those provisions which relate to the establishment of a load line for ships in Canada. The present Bill is, therefore, confined mainly to the improvement of the present Act, and contains the provisions in that regard which were in the former measure. The present Act, chapter 77, has certain provisions framed with the object of inducing the owners and masters of ships to take care that their ships are seaworthy. It has been found, however, in practice that as these sections which I propose to amend were drafted not precisely similar to the clause in the English Act, it is almost impossible to obtain a conviction on a prosecution under circumstances fully justifying it, considering the intention of the Act, so that in the sections of the Bill now before the House, while using the language of the Act, I propose to define "unseaworthiness," and the definition of that term I have taken from the English Act. The English Act in reference to the overloading of ships, after mentioning unseaworthy ships as open to detention, goes on to specify that detention may take place for overloading, or underloading, or improper loading, and in the present Bill I propose to use these words after the words "unseaworthy state." I have alluded to the third section. The second section is to be read in connection with the fifth section, and that relates to grain cargoes, and is taken from the English Act, chapter 43, of the Statutes of 1880. That relates chiefly to the use of shifting boards or other proper