

Mr. FRASER. Not only because the electors understood how they ought to vote, as far as principles were concerned, but also so far as the ballot was concerned. There would be much less trouble if the Act was made imperative, although I can see some difficulties that might arise.

Mr. FLINT. Is this a final payment?

Sir CHARLES HIBBERT TUPPER. Yes, in full of all claims.

Mr. RIDER. Is this invention a patentable one?

Sir CHARLES HIBBERT TUPPER. Yes.

Mr. RIDER. If so, where does the method of voting differ from the old voting, for the voter places his cross opposite the name, as before? It seems to be a matter of changing white to black, or black to white. I should like to have the opinion of the Minister of Justice as to whether this is really a patentable invention. If not, the committee should not vote \$2,500 for an article that is not patentable.

Sir CHARLES HIBBERT TUPPER. I am afraid my opinion on such a question is not worth very much. The patent was issued on the novelty of the idea, that being much considered worthy of a patent, and I suppose there is the best warrant for granting a patent in the fact that no sooner had the patentee obtained his letters than the Parliament of this country unanimously incorporated the idea in an Act of Parliament. The idea was that this white disk would attract particular attention; and I considered if there is any way in which you can appeal to the smallest particle of intelligence possessed by any voter, it is by this form of ballot. It was intended to change the old law, but it was hoped that the disk with the instructions would point out to the voter the limits to which he would be safe in putting his cross. That was the idea, and the very simplicity of a suggestion is often reason for commending the idea to the Department of Agriculture in considering the inventive genius of an applicant for letters patent.

Mr. RIDER. The method of voting under this system is the same as under the old. There is no new idea embodied in the invention—it is merely a matter of printers' ink, the position of the cross requiring to be made within the disc. I fail to see where there is any patentable idea, and if not, surely the Minister of Justice will not say that the Committee are bound to purchase it.

Sir CHARLES HIBBERT TUPPER. There is no question about that.

Mr. SUTHERLAND. As the member who took objection to this item, I desire to say that I was not aware at the time the

Mr. FRASER.

Act was introduced that any amount was stated as one which would be expected to be voted. While I will not admit that the House was bound by that statement, at the same time I must agree to this extent that the House, having been made aware that if it adopted this invention a certain amount would be expected to be paid, that promise should, in all fairness, be kept. This shows that the House was very careless in placing this power in the hands of the Government. I believe, as do many members of the committee, that the suggestion is really not worth anything like the amount asked; but, under the circumstances, that amount having been mentioned and the Government having been entrusted with the duty of exercising discretion in the matter, I for one will be willing to abide by the decision.

Mr. DAVIES (P.E.I.) The immense value of having a ballot paper which would afford the least possible opportunity for making mistakes is obvious, and no doubt it weighed with the House in adopting this method now under consideration. The judgment given in the province of Quebec shows that in the opinion of the judge the ballot paper was valueless. I call the attention of the hon. member for Guysboro' to the fact that nearly a month ago I introduced a Bill, which is now waiting its second reading, having for its object the carrying out of the idea of adopting the ballot paper and providing explicitly that the ballot must be marked within the disc. Judging from the Order paper, I think I shall be obliged to ask the Minister of Justice to take charge of the Bill, as private Bills will have little chance of getting through this session. We cannot go to another election with such a judgment as now stands recorded in the province of Quebec, the effect of which is that, although we adopted the new ballot paper with a disc on it, the ballot can be marked within the square where the name is as well as within the disc where it is intended to be placed.

Mr. MILLS (Bothwell). I call the attention of the Minister of Justice to a case recently decided where with respect to certain patterns made with paper it was decided that they might be matters for copyright, could not be matters for patent. I think the Minister will find that the rule in a case recorded in 1894, and that this rule is applicable to this case.

Sir CHARLES HIBBERT TUPPER. That was not under our Act.

Mr. McMULLEN. It appears to me that this is merely a change from a square to a circle, and I cannot see how the Commissioner of Patents ever gave it a patent. We should have some explanation from him as to why he patented this, before we vote