

the confidence reposed in them by the public it was desirable they should have.

**Mr. SCATCHERD** thought the County Court Judges, who had not to try election petitions, should have the right to vote.

**Right Hon. Sir JOHN A. MACDONALD** said they would have to revise the voters list.

**Hon. Mr. DORION** said he thought Judges ought not to mix in politics.

The clause passed.

The 39th clause passed.

**Mr. PALMER** moved that the 40th clause, prohibiting women from voting, be struck out, so as to leave the matter in the hands of the Local Legislature.

**Hon. Mr. DORION** assented, and the clause was struck out.

Clauses 41, 42, and 43 were adopted.

Clause 44 was amended at the suggestion of **Mr. BLAIN**, by giving poll-clerks as well as Deputy Returning Officers facilities for voting.

On Clause 45, referring to the voters' oath,

**Hon. Mr. DORION** proposed an amendment adopting the oath made use of by the Local Legislature of the various provinces, and the clause was held over in order to get the amendment framed.

Clauses 46, 47, 48, and 49, referring respectively to the form of oath where there are no voters lists, the mode of voting, the despatch of the ballot-papers, and the return of unused ballots, were passed without amendment.

Clause 50, making provision for the case of a voter who cannot mark his ballot paper, was passed with a verbal amendment.

Clauses 51 to 54, referring to the mode of taking the vote, were passed without discussion.

**Hon. Mr. ABBOTT** thought the 55th clause should be amended, as under it an elector might vote after some other voter had voted in his name, and both these votes would be recorded.

**Hon. Mr. DORION** said the legitimate voter should not be deprived of his vote because some individual had voted fraudulently in his name. He considered that the clause under consideration would tend to increase the vigilance of the deputy returning officer.

After some discussion the clause was adopted on a division.

Clauses 56 and 57, referring to rejected ballots and counting of votes, were passed without discussion.

On clause 58, making the decision of the Deputy Returning officer final with regard to objections to ballot papers,

**Hon. Mr. CAMERON (Cardwell)** said he thought the Chief Returning officer should have this power.

**Hon. Mr. DORION** defended the provisions of the clause as it stood, and pointed out that the Deputy Returning officer had the same power at present. This was also the provision of the Ballot Bill of Ontario.

He said he had made this provision because the deputy returning officer counted the votes at the present time, and under the present system of voting the deputy returning officer decided whether a vote should be admitted.

**Hon. Mr. ABBOTT** suggested that the Returning officer might be appealed to in order to set at rest any difficulty without putting a candidate to the expense of a scrutiny.

He suggested that the returning officer should decide the objections raised.

**Hon. Mr. DORION** said if it was the desire of the House that the clause should be suspended, he had no objection to suspending the clause for that purpose; but he thought the deputy returning officer should have the decisions of the matter.

**Hon. Mr. MITCHELL** agreed with the Minister of Justice in this respect, but he was opposed to placing too much power in the hands of returning officers, and on the whole he was in favour, when exception was taken to a ballot paper, of the final decision being left to the returning officer.

The clause was suspended.

The 59th clause, providing for the enclosure of a statement of the number of votes polled to the Returning officer, was passed without discussion.

Clauses 61 and 62, relating to the making up and declaration of the poll, were also passed without amendment, as were also clauses 63 and 64.

With reference to clause 65,

**Hon. Mr. DORION** said, in reply to a suggestion of Mr. MacLennan, that he would consider the advisability of allowing the candidates to be present at the investigation which would take place in the event of the ballot box being lost.

The clause then passed.

All the succeeding clauses down to the 71st clause were adopted without amendment.

On the 72nd clause,

**Hon. Mr. DORION** moved as an amendment that in addition to the penalty therein stated, the official shall be also liable for all other damages occasioned by his malfeasance or contravention of this Act.

Upon clause 74,

**Hon. Mr. ABBOTT** enquired whether an agent would not be permitted to tell his own candidate whether or not a vote had polled.