

refreshment, or money to enable him to procure refreshment, should be made an unlawful act, and should cause the forfeit of \$10 for each offence, and the costs of suit. This particular clause was taken from the English Statute, in which the penalty was 40 shillings, and by the sub-section a breach of this section was made a corrupt practice. This was not the law in England, and he did not believe that it should be the law here. The 9th section made treating, if done corruptly, a corrupt practice, and very properly so; but the concluding part of the section declared that the giving of refreshment without any corrupt intent—for this was the effect of it—by a candidate or by his agents, on polling day or nomination day, should be a corrupt practice and vitiate the election. What was the practical result? The agent of a candidate might invite his brother, an elector, to dinner on polling day—this was not treating but the giving of refreshment within the meaning of this clause—and this would vitiate and destroy the election. He did not propose to move an amendment, but to call the attention of the hon. the Minister of Justice to this matter, with the view of having this provision changed. A heavier penalty might be imposed, but certainly such an act should not destroy the election. He conceived that no election could be conducted under the law as it now stood that could not be vitiated on petition. In a recent case in which he was concerned, a Judge of the Supreme Court had found it very difficult indeed, to put a proper construction on this clause. It stated that the giving or the causing to be given to any voter on nomination day, on account of such voter having voted—but this could not be the case. It was practically almost impossible to put a construction on it with regard to nomination day, though it was very clear respecting polling day. It was laid down by Justice Wills, in England, that the act in question was not a corrupt practice. Now, if an agent treated a friend to dinner the election might be set aside on the ground that corrupt practices had been resorted to. He thought the Minister of Justice should really give

his attention to the matter, and make some amendment to the Bill.

MR. LAFLAMME said there were many anomalies in the interpretation of some of the clauses. He agreed with his hon. friend that the point in question was one which required some elucidation, but he thought, at the same time, that the Judges were best qualified to interpret the meaning of the law. An election ought not certainly, to be vitiated because a person was treated without any intention to cause corruption in voting, but the House and the people would shortly be better able to investigate thoroughly the principle of our Election Law. After it had gone through the crucible of several contested elections and being submitted to the Judges of the different Provinces and to the Supreme Court, some amendments might be introduced to meet the objections which had been raised.

MR. MCCARTHY said a construction had already been put upon the law in two English cases, so that there was no doubt whatever as to its meaning. An election should not be set aside as vitiated on the ground that an agent had acted wrongfully, when such was not the case.

MR. BLAKE: It says on account of his having voted or been allowed to vote. It would be impossible to prevent corruption unless a severe penalty was attachable to the offence. What was wanted was to prevent a system of so-called hospitality calculated to interfere with the freedom of an election, degrading to the candidate who sought votes in this way, and degrading to the electors who participated in that hospitality.

MR. PALMER said that, if he was not mistaken, the hon. member for South Bruce and the Minister of Justice, took entirely different views of the matter. The Minister of Justice seemed to say that an election would not be vitiated by an agent treating a friend, while his hon. friend from South Bruce wished to retain the penalty, because such an act would vitiate an election. He (Mr. Palmer) certainly disagreed with the Minister of Justice, when he said that the matter should be left to