

Mr. ARTHURS: In case of any trouble in a poll, should not the poll clerk have the authority of a constable?

Mr. GUTHRIE: There are always plenty of constables round a poll and I would not favour the amendment.

Section as amended agreed to.

On section 65—strangers not to enter polling districts armed.

Mr. MACKENZIE KING: Subsection 5 has a few additions of which I do not know just the significance. After the words "no spirituous or fermented liquors" there have been added the words "whether or not intoxicating." This addition looks as if it had been put in by the Minister of Health. The subsection states further:

—shall be sold or given at any hotel, tavern, shop or other place within the limits of any polling division, before, during or after the hours during which the poll is open on polling day.

The words "before" and "or after" have also been added. This is really prohibition legislation.

Mr. GUTHRIE: I think it is meant to allow two per cent and to exclude four per cent, whereas, in the opinion of a good many people, four per cent is not intoxicating.

Mr. MACKENZIE KING: What is meant by "before or after" the hours of polling?

Mr. GUTHRIE: The old law always was that shops and taverns should be closed the whole of polling day; no liquor was allowed to be sold, and I suppose this was intended to carry out that idea.

Mr. MACKENZIE KING: The old law was that no liquor should be sold during the hours during which the poll was open on polling day. The words that have been added are "before or after". That practically makes it impossible to sell these drinks at any time.

Mr. GUTHRIE: That was always the law.

Mr. ROSS: When you change the time between nomination and polling day, why do you not change this to fourteen days instead of eight?

Mr. SHEARD: As regards the phrase "whether or not intoxicating," I should like to have a definition of the term "intoxicating." I have never yet come across one which would stand the test of criticism.

Mr. MORPHY: Another objection to this clause is that it is so drastic that a man

[Mr. Guthrie.]

could not accept from his wife in his own home after a hard day's work at the election, a small portion of stimulant that might prevent him from going into a serious state of collapse. This is going about as far as any legislation could go towards something that is not now prohibited by any law that is in existence. Under this subclause, a man could not, between five o'clock in the morning and twelve o'clock at night of polling day, accept off his own sideboard, at the hands of any person, whether a member of his family or not, a glass of wine which is intoxicating.

Mr. COPP: Not even to drown his sorrow.

Mr. MORPHY: I was not thinking of that; I was speaking more about the drastic nature of the clause as affecting the liberty of the subject. We ought to be rather chary about going in an Election Act further than is gone in

9 p.m. any other Act of which I know. There are many other drastic measures in force to-day and the public are complaining against them. It would be well if we had fewer restrictions and a little relaxation from the drastic effects of these public Acts. I think it would meet the approval of the best citizens if this subsection were struck out altogether. Let us not be abnormally drastic about measures that go to the root of the social customs of the people.

Mr. ROSS: If it was thought advisable to increase the time between nomination day and polling day to fourteen days, would it not be logical to increase the time during which these restrictions shall apply from eight to fourteen days also?

Mr. GUTHRIE: I do not think there was any logic in the matter at all. The time fixed in this section was considered an adequate period during which to forbid the use of badges. Eight days is long enough, and in any event I do not think there is very much in the matter one way or another. In regard to the remarks of my hon. friend from North Perth (Mr. Morphy) concerning subsection 5, I would suggest that the words "whether or not intoxicating" be struck out, and the words "public place" be substituted for the words "or other place". I do not think we should go the length of going into a man's house.

Mr. ARCHAMBAULT: The subsection says that no liquor shall be sold during or after the hours during which the poll is open on polling day. The day starts at