

of this kind if the message was written and handed in to the telephone operator to transmit, there would be just as much record of it as there would be of a telegram. The telephone would be of a very much greater advantage in the rural constituencies, where the telegraph is of limited application.

Mr. GUTHRIE: The object of the section is to attain certainty, if possible. I think the inclusion of the telephone would open the door to a good deal of looseness. I do not think my hon. friend can seriously suggest that we allow the telephone to be used, because there is no record of the conversation. The idea is to make the matter reasonably certain.

Mr. PEDLOW: There would be just as much certainty about the transmission of a written message over the telephone as there is of a telegram. A written message could be handed in to the operator to transmit, and there would be the record.

Mr. MURPHY: Might I suggest to my hon. friend who is in charge of the Bill that the reason he has just advanced for not accepting the suggestion of my hon. friend (Mr. Pedlow) constitutes the strongest possible reason for accepting the suggestion of my hon. friend (Mr. Jacobs), and that is the necessity of attaining certainty, the necessity of having a record. I quite agree with my hon. friend that that certainly should exist, and I submit that the only way in which it can exist, when the ordinary procedure is departed from and the method of communication by telegraph is resorted to, is to adopt some such proposal as that suggested by my hon. friend (Mr. Jacobs), that the message be repeated by the recipient to the sender.

Might I also suggest that the clause is rather loosely drawn, and assumes qualities on the part of the Chief Electoral Officer that he may not possess. For instance, according to the language of the clause:

Whenever it appears to the satisfaction of the Chief Electoral Officer, at a time when an election is about to be held, that necessary communication * * * will probably be interrupted during such election by the severity of the season.

That implies that the Chief Electoral Officer would be a weather prophet. How can he tell whether communication is going to be interrupted?

Mr. GUTHRIE: Formerly it was the Governor in Council who decided that. We are taking that power away from the Gov-

ernor in Council and giving it to an independent administrator.

Mr. MURPHY: In that case, I would urge on my hon. friend the advisability of accepting the suggestion of my hon. friend (Mr. Jacobs), so that in the event of this procedure being adopted there would be a record available for reference where necessary, and in that way a great many disputes and some litigation might be avoided.

Mr. JACOBS: Might I ask that consideration of the clause be postponed in order to give me an opportunity of drafting something along the line I have suggested.

Section stands.

On Section 18—Office of Clerk of Crown in Chancery abolished.

Mr. MACKENZIE KING: This section is entirely new, and I think the minister might give us an explanation of it.

Mr. GUTHRIE: It is proposed under this section to abolish a time-honoured custom and official, in the office of the Clerk of the Crown in Chancery. I think probably this office is one of the oldest known to our Parliamentary practice. I believe you have to go far back into the constitutional history of England to find its origin; at least as far back as the days of Wolsey and Thomas Cromwell, when there was some necessity for a person to fill the office of the Clerk of the Crown in Chancery. As time has gone on, the duties of the office have been entirely changed from what they were originally. The powers of this official have been entirely taken away, save only in respect of the making of certain returns to the House of Commons and the Senate. There were originally, I think, a great number of clerks of the crown in chancery, most of whom were used purely for the transaction of legal business, such as the issuing to His Majesty's writs, summoning before chancery defaulting subjects, etc. But in our own time, although I cannot find in the statutes of this country any precise definition either of the office or of its duties and functions, though I have caused some diligent inquiry to be made respecting the matter, yet I find that as far back as the century before the last the office was constituted here by Royal letters patent. Subsequently it was continued in our statutory enactments, but I do not find any clear definition of what the duties of the office were. Certain it is that under our system, the Clerk of the Crown in Chancery performs some functions during elections. The more important duties have been in