APPENDIX

TO THE

SEVENTY-FOURTH VOLUME

OF THE

JOURNALS OF THE HOUSE OF COMMONS

DOMINION OF CANADA

SESSION 1936

PRINTED BY ORDER OF PARLIAMENT

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1936

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APPENDIX No. 5

PROCEEDINGS

OF THE

SPECIAL COMMITTEE

ON

ELECTIONS AND FRANCHISE ACTS

SESSION 1936

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21683—1½

MEMBERS OF THE COMMITTEE

Mr. C. E. BOTHWELL, *Chairman*

and

Messieurs

D. A. Cameron
(Cape Breton N.-V.)
W. G. Clark
(York-Sunbury)
J. E. Dussault
S. Factor
R. Fair
W. Girouard
J. A. Glen
A. A. Heaps
J. Jean
J. R. MacNicol
D. F. McCuaig
C. R. McIntosh
G. A. MacLean
(Simcoe East)
C. Parent
(Quebec W. and S.)
E. E. Perley
(Qu'Appelle)
C. G. Power
G. T. Purdy
W. F. Rickard
L. P. A. Robichaud
E. C. St. Père
P. Sinclair
H. H. Stevens
H. A. Stewart
G. Stirling
W. H. Taylor
(Norfolk)
J. G. Turgeon
J. M. Turner
E. J. Wermenlinger
G. E. Wood

JOHN T. DUN,
Clerk of the Committee.

ORDERS OF REFERENCE

HOUSE OF COMMONS,

February 21, 1936.

Resolved,—That a special committee, the members thereof to be selected at a later date, be appointed to study the Dominion Elections Act, 1934, and amendments thereto and the Franchise Act, 1934, and amendments thereto and to suggest to the House such amendments to the said Acts as they may deem advisable, and, furthermore, such committee shall study and make a report on the following subjects:—

(*a*) The Proportional Representation System;
(*b*) The Alternative Vote in Single-member constituencies;
(*c*) Compulsory Registration of Voters;
(*d*) Compulsory Voting;

and that the said special committee have power to send for persons, papers and records, to examine witnesses under oath and report from time to time.

Attest.

ARTHUR BEAUCHESNE,
Clerk of the House.

TUESDAY, March 3, 1936.

Ordered,—That the Special Committee appointed to study the Dominion Elections Act, 1934, and amendments thereto; and the Dominion Franchise Act, 1934, and amendments thereto, shall consist of thirty members; that Standing Order 65 be suspended in relation thereto; and that the following be appointed members of the said Committee:—Messrs. Bothwell, Cameron (*Cape Breton North-Victoria*), Clark (*York-Sunbury*), Dussault, Factor, Fair, Girouard, Glen, Heaps, Jean, MacNicol, McCuaig, McIntosh, Parent (*Quebec West and South*), Perley (*Qu'Appelle*), Power, Purdy, Rickard, Robichaud, St. Père, Sinclair, Slaght, Stevens, Stewart, Stirling, Taylor (*Norfolk*), Turgeon, Turner, Wermenlinger, and Wood.

Attest.

ARTHUR BEAUCHESNE,
Clerk of the House.

WEDNESDAY, March 4, 1936.

Ordered,—That the name of Mr. McLean (*Simcoe East*) be substituted for that of Mr. Slaght on the said Committee.

Attest.

ARTHUR BEAUCHESNE,
Clerk of the House.

ORDERS OF REFERENCE—*Concluded*

THURSDAY, March 5, 1936.

Ordered,—That the said Committee have leave to sit while the House is sitting.

Ordered,—That the said Committee be authorized to print its day to day proceedings and evidence; 500 copies in English and 250 copies in French and that Standing Order 64 be suspended in relation thereto.

Ordered,—That the said Committee be instructed to study and make a report on the methods used to effect a redistribution of electoral districts in Canada and in other countries, and to make suggestions to the House in connection therewith.

Attest.

ARTHUR BEAUCHESNE,
Clerk of the House.

FRIDAY, March 6, 1936.

Ordered,—That the quorum of the said Committee be twelve members.

Attest.

ARTHUR BEAUCHESNE,
Clerk of the House.

REPORTS TO THE HOUSE

First Report

Thursday, 5th March, 1936.

1. That your Committee have leave to sit while the House is sitting.
2. That your Committee be authorized to print its day to day proceedings and evidence; 500 copies in English and 250 copies in French and that S.O.64 be suspended in relation thereto.

All of which is respectfully submitted.

C. E. BOTHWELL,
Chairman.

Second Report

Friday, 6th March, 1936.

It is recommended that the quorum of your committee be twelve members.

All of which is respectfully submitted.

C. E. BOTHWELL,
Chairman.

Third Report

Friday, May 8, 1936.

Your Committee is of the opinion that, prior to a general revision of The Dominion Elections Act, 1934, and The Dominion Franchise Act, amending bills should be introduced in the House to provide for the holding of by-elections.

Your Committee, therefore, submits two proposed amending draft bills, annexed hereto, and recommends them unanimously to the favourable consideration of the House.

All of which is respectfully submitted.

C. E. BOTHWELL,
Chairman.

DRAFT BILL AS REPORTED BY THE SPECIAL COMMITTEE ON THE DOMINION ELECTIONS AND FRANCHISE ACT WITH THIRD REPORT

BILL No.

AN ACT TO AMEND THE DOMINION ELECTIONS ACT, 1934, TO PROVIDE FOR THE TAKING OF THE VOTE AT DOMINION BY-ELECTIONS

HIS MAJESTY, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

SHORT TITLE

1. This Act may be cited as *The Dominion By-Elections Act, 1936.*

2. The provisions of *The Dominion Elections Act, 1934,* as amended, are not amended, repealed or otherwise affected by the provisions of this Act, except in so far as the holding of by-elections is concerned.

3. In the case of a by-election of a Member of the House of Commons, to wit, an election other than a general election following upon a dissolution of Parliament, *The Dominion Elections Act, 1934,* being Chapter Fifty of the Statutes of Canada, Nineteen Hundred and Thirty-four, as amended, shall apply as if further amended in the following respects:

(A) By striking out Section Thirteen of the said Act and substituting the following therefor:—

"13. The polling divisions shall be those established for or adopted on the occasion of the Dominion General Election held on the fourteenth day of October, nineteen hundred and thirty-five."

(B) By inserting, immediately after section fifteen, the following as section fifteen A thereof:

Supply by Franchise Officers of copies of the lists of electors to be used at the poll

"15A. Immediately after the certified complete copies of the corrected lists of electors are available for distribution, the appropriate Franchise Officer shall, with regard to rural polling divisions, transmit to the returning officer two copies of such lists, one copy to be used at the poll and the other to be kept in the office of the returning officer for inspection by any interested elector. In a very remote rural polling division where the postal service is such that it is doubtful if the certified complete copies of the corrected lists of electors can be sent by the returning officer to the deputy returning officer in time for the election, the Chief Electoral Officer may request the Dominion Franchise Commissioner to direct that one copy of such list be delivered or transmitted by the local Franchise Officer direct to the deputy returning officer concerned. In urban polling divisions the returning officer shall be supplied by the appropriate Franchise Officer with five printed copies of the list of electors for each such polling division in his electoral district as soon as the printing of such lists has been completed."

(C) By striking out subsection three of section thirty thereof and substituting the following therefor:—

"(3) Two days at least before polling day the returning officer shall furnish

(*a*) to each deputy returning officer, a copy of the list of electors, as finally revised under the provisions of *The Dominion By-Elections Franchise Act, 1936,* for use at his polling station. Every sheet included in such list of electors shall, whenever possible, be stamped by the returning officer with the Official Stamp;

(*b*) to each deputy returning officer, a ballot box, a blank poll book, the several forms of oaths to be administered to voters, the necessary envelopes and such other stationery as may be authorized by the Chief Electoral Officer;

(*c*) to each candidate or his agent, a list of all deputy returning officers appointed to act in the electoral district with the name or number of the polling division or polling station at which each is to act."

(D) By striking out subsections four and six of section thirty-three and substituting the following therefor:—

"(4) If the polling division is urban, the returning officer shall prepare from the geographical list of electors a separate list for each polling station established therein. The list shall be divided numerically according to the consecutive number given to each voter on the printed list of electors so that approximately an equal number of electors will be allotted to each polling station necessarily established in such polling division."

"(6) Every voter of an urban polling division whose name appears on the list of electors, divided pursuant to subsection four of this section, shall vote, if at all, in the polling station to which has been allotted such part of the list as contains his name, and not otherwise."

(E) By striking out subsection three of section thirty-eight of the said Act.

(F) By inserting, immediately after section forty-six, the following as section forty-six A thereof:—

Vote by elector whose name is not entered in the certified complete copy of the list of electors for a rural polling division

"46A. (1) Subject as herein provided, any person who pursuant to the provisions of Section four of *The Dominion By-Elections Franchise Act, 1936,* is qualified to vote in the electoral district in which a by-election is pending, and is, on polling day, resident in a rural polling division may, notwithstanding that his or her name does not appear on the certified complete copy of the list of electors for such rural polling division, vote at the appropriate polling station established therefor, if, so far as he or she is aware, his or her name does not properly appear on the certified complete copy of the list of electors prepared for any other polling division in the electoral district.

(2) Any such person as is in the last preceding subsection described shall be entitled to vote only

(*a*) upon his or her being vouched for by some other voter whose name appears on the certified complete copy of the list of electors for such rural polling division and who is resident therein,

and personally attends with him or her at the polling station and takes an oath in Form No. 43 in Schedule One to this Act, and

(*b*) upon himself or herself taking an oath in Form No. 42 in Schedule One to this Act.

(3) The poll clerk shall make such entries in the poll book, as the deputy returning officer directs him to make including the name of the person who vouched for the applicant person, and as are required by any provision of this Act."

(G) By striking out sections ninety-nine to one hundred and five, inclusive, of the said Act.

(H) By striking out Forms eighteen, nineteen, twenty, forty-two and forty-three of Schedule One to the said Act and substituting therefor the Forms contained in the Schedule to this Act.

SCHEDULE

"FORM No. 18.

POLL BOOK (*Sec. 36 (4)*)

Consecutive number given each voter as he applies for a ballot	Particulars of voter			
	Name of voter. (Family name first)	Occupation	Post Office address	Consecutive number of voter on voters' list
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....

Form numbers of oaths, if any, the voter is required to swear	Record that oaths sworn or refused. (If sworn, insert "Sworn", if refused, insert "Refused to be sworn")	Particulars of person vouching *in a rural polling division only* (Under Sec. 46A) for a voter whose name is not on the list		
		Name	Consecutive number of voter on voters' list	Record that oath (Form 43) sworn (when sworn insert "sworn")
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....

Record that voter has voted. — (*When ballot put into ballot box, insert "Voted"*)	Remarks
.....	.....
.....	.....
.....	.....

"FORM No. 19

OATH OF PERSON APPLYING TO VOTE (Sec. 39)

You swear (*or solemnly affirm*) that you are (*name of the voter*) whose name is entered on the copy of the list of electors now shown to you (*showing copy of list of electors to voter*); that you are a British subject of the full age of twenty-one years; that you have been ordinarily resident in Canada for the last twelve months and that you were ordinarily resident in this electoral district on the day of , 19 (*naming the date three months before the day of the issue of the writ of election*); that you have continued to be resident in this electoral district since the said date; that you have not before voted at this by-election either at this or at any other polling station; that you have not been employed by any person for pay or reward, in reference to this proceeding by-election, unless lawfully by an election officer, and that you have not received anything, nor has anything been promised to you, either directly or indirectly, in order to induce you to vote, or to refrain from voting, at this election. So help you God."

"FORM No. 20

OATH THAT VOTER IS THE PERSON INTENDED TO BE REFERRED TO IN THE LIST OF ELECTORS. (Sec. 42)

You swear that pursuant to section four of *The Dominion By-Elections Franchise Act, 1936*, you are qualified to vote at this by-election of a member to serve in the House of Commons of Canada and are not disqualified from voting thereat, and that you verily believe that you are the person intended to be referred to by the entry in the list of electors used at this polling division of the name (*name as in list of electors*) whose occupation is given as (*occupation as in list of electors*) and whose address is given as (*address as in list of electors*). So help you God."

"FORM No. 42

OATH OF PERSON WHOSE NAME IS NOT ON THE CERTIFIED COMPLETE COPY OF THE LIST OF ELECTORS FOR A RURAL POLLING DIVISION AND WHO DESIRES TO VOTE. (Sec. 46A)

You swear (*or affirm*) that you are a British subject of the full age of twenty-one years; that you have been ordinarily resident in Canada during the last twelve months and that you were ordinarily resident in this electoral district on the day of , 19 (*naming the date three months before the day of the issue of the writ of election*); and that you have continued to be resident in this electoral district since the said date;

That you now reside in this polling division and that, so far as you are aware, your name does not properly appear on the certified complete copy of the list of electors for any other polling division in this electoral district;

That you are not within any of the classes of persons who lack qualification or are disqualified by reason of appointment to judicial office, employment for pay or reward in reference to the pending by-election, race, crime, mental incapacity or disfranchisement for corrupt or illegal practices; and

That you have not already voted at this by-election or been guilty of any corrupt or illegal practice in relation thereto. So help you God."

"Form No. 43

OATH OF PERSON VOUCHING. (Sec. 46A)

You swear (*or* affirm) that you are (*name as in list of electors*), whose occupation is (*occupation as on list of electors*), and whose address is (*address as in list of electors*), and that you now reside in this polling division;

That you know (*naming the applicant and stating his address and occupation*) who has applied to vote at the pending by-election in this polling station;

That the said applicant now resides in this polling division;

That you verily believe that the said applicant is a British subject of the full age of twenty-one years, that he or she has been ordinarily resident in Canada for the last twelve months and that he or she was ordinarily resident in this electoral district on the day of 19 (*naming the date three months before the day of the issue of the writ of election*); and that he or she has continued to be resident in this electoral district since the said date;

That you verily believe that the applicant is qualified to vote at this by-election and is not disqualified from voting thereat. So help you God."

"Form No. 44

AFFIDAVIT OF PRINTER. (Sec. 29(6))

I, ...of the ..... of ....., ..., make oath and say:—
(*occupation*)

1. I am .....
(*Insert "the sole member" or "one of the members "of the firm of" or*
.....
"the ..... of the ..... Co. Ltd.", or as the case may be.)
hereinafter called "the printer" by whom or by which ballots have been printed for the pending election in the electoral district of..... for a member to serve in the House of Commons of Canada.

2. That sheets for ballots numbered as follows, namely:
.....
were delivered to the said printer by the returning officer for the printing of the said ballots which were printed with the names of..... ..... candidates, each of the said
(*Insert number of candidates*)
sheets thus cutting into ..... ballots.
(*Insert number of ballots*)

3. That the number of ballots properly printed and delivered to the said returning officer was ..... and that no other ballot papers have been supplied to any other person.

4. That sheets numbered ..... were not required and have been returned to the returning officer in the condition in which they were received.

5. That every piece of ballot paper spoiled in printing has been delivered to the returning officer.

6. *The ballots having been printed with the names of ..... candidates, the cut off portions of all the sheets out of which ballots were cut have been returned to the said returning officer for return to the Chief Electoral Officer, the same being arranged in numerical order according to the numbers printed thereon.

SWORN (*or affirmed*) before me
at ....., in the Province
of ....., this.....
day of....., 19...

.....
(*Signature of printer*)

.....,
(*Returning Officer, Justice of the Peace, or, as the case may be*)

*Strike out this paragraph unless six, eight, nine, ten, twelve or more candidates are running.

DRAFT BILL AS REPORTED BY THE SPECIAL COMMITTEE ON THE DOMINION ELECTIONS ACT AND FRANCHISE ACT WITH THIRD REPORT

BILL ——

An Act to amend the Dominion Franchise Act to provide for the preparation and revision of Lists of Electors to be used at Dominion By-elections

His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

SHORT TITLE

1. This Act may be cited as The Dominion By-Elections Franchise Act, 1936.

2. In the case of a by-election of a Member of the House of Commons, to wit, an election other than a general election following upon a dissolution of Parliament, the *Dominion Franchise Act,* being Chapter fifty-one of the Statutes of Canada, nineteen hundred and thirty-four, as amended, shall apply as if further amended in the following respects:

(A) By striking out section two of the said Act.

(B) By striking out clause (*c*) of subsection one of section four of the said Act and substituting the following therefor:—

> Has been ordinarily resident in Canada for at least twelve months and was ordinarily resident in the electoral district in which the pending by-election is to be held not less than three months before the date of the issue of the writ of such by-election and has continued to be ordinarily resident therein until polling day.

(C) By striking out the sections included within Parts II and III of the said Act and substituting as Part II thereof sections numbered fourteen, fifteen and sixteen following:—

PART II

Registration of Electors for a By-election

Issue and Transmission of Registration Material

14. Immediately upon a vacancy occurring in the representation of any electoral district in the House of Commons, the Commissioner shall transmit to the Registrar of Electors

(*a*) such sufficiently indexed copies of or excerpts from this Act and such instructions prepared by the Commissioner as are required for the proper conduct of the registration of electors for a by-election and to supply to each franchise officer acting under the Registrar in his electoral district a copy of such portions of this Act and such instructions as such franchise officer may have occasion to consult or observe in the performance of his duties;

(*b*) sufficient printed blank forms for the purposes of the registration of electors for a by-election, excepting Form No. 3 (Notice of Registration of Electors for a By-election), and Form No. 9 (Notice of Revision of Preliminary Lists of Electors in Urban Polling Divisions), which the Registrar of Electors shall himself cause to be printed.

(*c*) a statement setting forth what portion or portions of that Registrar's electoral district shall be deemed, pursuant to *The Dominion Elections Act, 1934,* to be urban and rural polling divisions, respectively.

Public Notice by the Registrar of Electors of a Registration of Electors for a By-election

15. (1) Immediately upon receipt of notice from the Commissioner, that a registration of electors for a by-election has been called, the Registrar of Electors so notified shall issue a public notice under his hand in Form No. 3 and send by mail one copy at least thereof to the postmasters of the various post offices within his electoral district. He shall at the same time notify in writing each postmaster of the provisions of subsection four of this section.

(2) The notice shall indicate:—

(*a*) that a registration of electors for a by-election has been ordered;
(*b*) the days of commencement and termination of such registration;
(*c*) the place or places within the electoral district where, and the times when, the Registrar of Electors may be found and will be available for the execution of affairs relating to such registration;
(*d*) a statement setting forth what portion or portions of the electoral district shall be deemed to be urban and rural divisions, respectively;
(*e*) such other, if any, information or notice, including cautionary matter, as the Commissioner may direct.

(3) Inadvertent omission on the part of the Registrar of Electors of any electoral district to mail such notices or any thereof in time, or to mail them to a number less than one-tenth of the postmasters within an electoral district, shall not be deemed to be non-compliance with the provisions of this section.

(4) Every postmaster shall, forthwith after the receipt of such notice post it up in some conspicuous place within his office to which the public has access and maintain it posted there until the pending registration has terminated, and failure to do so shall be ground for his dismissal from office, and for the purposes of this provision such postmaster shall be deemed to be a franchise officer and shall be liable as such.

(5) The Registrar of Electors shall, on the same day as that whereon he sends by mail copies of such notice to the various postmasters, also send by mail or deliver five copies of the notice to each person who was, at the last Dominion election held in the electoral district, a candidate for election.

Preparation of Lists of Electors

(16) (1) The Registrar of Electors shall, commencing on the day fixed and directed by the Commissioner, cause to be prepared in and for his electoral district, and pursuant to the provisions of this Part of this Act, preliminary lists of all qualified electors who are resident within the urban and/or rural polling divisions into which that electoral district is at the time, pursuant to *The Dominion Elections Act, 1934,* divided.

(2) The polling divisions shall be those established for or adopted on the occasion of the Dominion general election held on the fourteenth of October nineteen hundred and thirty-five.

(3) The Chief Electoral Officer of Canada shall whenever required by the Commissioner certify in writing to him what polling divisions in any electoral district in Canada, are, respectively, urban and rural. The Commissioner shall inform the Registrar of Electors concerned what polling divisions in his electoral district are, respectively, urban and rural.

(4) Every Registrar of Electors shall immediately after being directed as in subsection one of this section mentioned, and not otherwise, appoint by writing in Form No. 4, executed under his hand, for the purposes and period of preparation of such lists of electors, sufficient fit and proper persons as enumerators, appointing two thereof for each urban polling division (or for each part thereof in the case of a subdivided polling division) and one thereof for each rural polling division (or for each part thereof in the case of a subdivided polling division) in his electoral district. Enumerators of urban polling divisions shall be selected in the following manner:

(*a*) The Registrar shall, so far as possible, so select and appoint that the two enumerators of each polling division (or part thereof) shall represent two different and opposed political interests.

(*b*) Within two days after the Registrar of Electors has received instructions from the Commissioner to prepare the list of qualified electors as provided in subsection one hereof and has so notified the candidates hereinafter mentioned, the candidate who, at the then last preceding election in an electoral district, received the highest number of votes in such electoral district, and the candidate who representing at that election a different and opposed political interest, received the next highest number of votes, may, each, by himself or by a representative, nominate a fit and proper person or fit and proper persons for appointment as enumerators in any or all of the polling divisions (or parts of polling divisions) in the Registrar's electoral district, and, subject to the provisions of this section, the Registrar shall appoint such persons to be enumerators of the polling divisions or parts thereof for which they have been nominated.

(*c*) If the Registrar deems that there is good cause for his refusing to appoint any person so nominated he shall so notify the nominating candidate or his representative, who may within twenty-four hours thereafter nominate a substitute to whom the provisions of paragraph (*b*) of this subsection shall apply. If no substitute is nominated as aforesaid the Registrar may, subject to paragraph (*a*) of this subsection, himself select and appoint to any necessary extent.

(*d*) If because at the then last preceding election in the electoral district there was opposed to the candidate who received the highest number of votes no candidate representing a different and opposed political interest, no nominations by such a candidate are possible, or if either of the candidates mentioned in paragraph (*b*) of this subsection fails to nominate any person for appointment as enumerator of any polling division (or part thereof) of the applicable electoral district, the Registrar may, acting subject to paragraph (*a*) of this subsection, himself select and appoint to any necessary extent.

(5) Every person who is appointed as an enumerator under subsection four of this section, or as a revising officer under Rule 9 of Schedule A to this section shall, before acting as such, take an oath, which shall be reduced to writing, and certified, the whole as in Form No. 5 or Form No. 11, as the case may be, and he shall send by mail or deliver that document to the Registrar of Electors who appointed him.

(6) Every Registrar of Electors shall make and keep a record of the names and addresses of all revising officers and enumerators appointed by him and of the polling divisions for which each is to act. Such Registrar shall permit any person to inspect such record at all reasonable times and he shall as soon as possible after such record is complete send by mail a copy thereof to the Commissioner. The Registrar shall post up, and keep posted up in his office for the whole period of the registration a copy of such record.

(7) In urban polling divisions the lists of electors shall be prepared in accordance with the rules set forth in Schedule A to this section, and in rural polling divisions, such lists shall be prepared in accordance with the rules set forth in Schedule B to this section.

(8) The two enumerators appointed for each urban polling division (or part thereof) shall, with relation to every process of the preparation of their list of electors, act jointly and not individually. They shall report forthwith to the Registrar who appointed them the fact and the details of any disagreement between them. The Registrar shall decide the matter of difference and communicate to the enumerators his decision. They shall accept and apply it as if it had been originally their own. The Registrar of Electors may at any time replace any urban enumerator appointed by him by appointing another enumerator to act in the place and stead of the person already appointed, and any enumerator so replaced shall upon request in writing signed by the Registrar of Electors, by the subsequent appointee, or by any other person authorized by the Registrar of Electors to receive the same, deliver or give up to him any franchise pose of the performance of his duties; and on default he shall be guilty of an documents, papers and written information which he has obtained for the puroffence punishable on summary conviction as in this Act provided.

SCHEDULE A TO SECTION 16.

Preparation of the List of Electors in Urban Polling Divisions

Rule 1.—The enumerators who have been appointed for an urban polling division (or part thereof) shall, after making oath as such, proceed on and after a day fixed by the Commissioner and notified to them by the Registrar of Electors who appointed them, to ascertain by making a house to house visitation the names, addresses and occupations of every man and woman who is qualified pursuant to this Act to be included in the preliminary list of electors which they have been appointed to prepare, and to include in such list the name, address and occupation of the elector so complying. The enumerators shall leave at the residence of every elector visited by them, whose name they propose to register on the list of electors which they have been appointed to prepare, a notice in Form No. 6, that they have granted or refused, as the case may be, the elector's application to be so registered.

Rule 2.—The enumerators shall visit every dwelling place in their polling division at least twice—once between the hours of nine o'clock in the forenoon and six o'clock in the afternoon and once between the hours of seven o'clock in the afternoon and ten o'clock in the afternoon (unless, as to any dwelling place, they are satisfied that no qualified electors living therein may remain unregistered).

Rule 3.—On a day to be fixed by the Commissioner and notified to them by the Registrar of Electors, the enumerators shall prepare a complete list of all the names, addresses and occupations of the persons who are qualified as electors and who are resident in the polling division (or part thereof) for which they have been appointed. Such list shall be prepared in all urban polling divisions in geographical order, that is, by streets, roads and avenues, as in Form No. 7. The enumerators shall also prepare in like form a sufficient number of copies of such list to comply with Rule 5.

Rule 4.—The enumerator shall, in such list, as indicated in Form No. 7 of Schedule one to this Act, register the name of a married woman or widow under the name and surname of her husband or deceased husband, as the case may be, prefixing each name with the abbreviation "Mrs." The name of an unmarried woman shall be prefixed with the word "Miss."

Rule 5.—Upon completion of the foregoing requirements each pair of enumerators shall forthwith deliver or transmit to the Registrar of Electors of the Electoral District in which the by-election is pending at least five plainly written or typewritten copies of the list of electors for their respective polling division, together with their record books containing the carbon copies of the notices in Form No. 6. Each of such copies of the list shall be severally sworn to by both enumerators in Form No. 8 of Schedule one to this Act. Upon receipt of such copies of the list of electors the Registrar of Electors shall immediately transmit one copy to each of the candidates at the pending by-election, or their representatives, and shall also keep one copy of such list on file in his office where it shall be available for public inspection at all reasonable hours.

Rule 6.—The enumerators shall also, on the same day as that whereon pursuant to Rule 5 they transmit or deliver copies of their preliminary list of electors to the Registrar of Electors, post up or cause to be posted up, in at least three conspicuous places to which the public has access, within their polling division (or part thereof), at least three copies of the preliminary list which they have prepared. All postmasters of post offices throughout Canada are directed, on pain of dismissal, to permit the posting of such lists in their post offices, and they shall be deemed, for the purposes of this rule, to be franchise officers.

Urban Revision

Rule 7.—Before the commencement of the revision of the list of electors the Registrar of Electors shall group together the urban polling divisions of his electoral district into several revision groups (hereafter in those rules termed "Revisal districts") each containing such number of urban polling divisions as the Commissioner may direct, and shall prepare descriptions of the boundaries of such revisal districts. He shall then cause to be printed a notice in Form 9 describing the boundaries of each of the revisal districts established by him and stating where, when, and for how long the Revising Officer will be present and may be found within each revisal district, and at what hours of the day, for the purpose of revising the preliminary lists of electors of the urban polling divisions included in each revisal district. At least four days before the first day fixed for revision he shall cause six copies of such notice for each thousand of the population to be posted up in conspicuous places throughout each revisal district. Before two o'clock on the afternoon of the day when the revision commences the Revising Officer of each revisal district shall cause an additional five copies of the above mentioned notice to be posted up outside of and near to the place where he will sit to revise the list. The Revising Officer shall see that the latter copies are replaced as circumstances require in order that the specified number of copies may remain duly posted up during the three days of sittings for revision. The Registrar of Electors shall also cause a notice of revision, not exceeding eight inches by four inches in dimensions, to be published twice in one daily newspaper circulating in the city or town in which the electoral district lies, such notice of revision to be in Form No. 9.

In the province of Quebec such notice shall be published in one daily newspaper published in the English language and in one daily newspaper published in the French language. The place in which the Revising Officer sits as such is hereafter in these rules termed the "revisal office."

Rule 8.—The Revising Officers appointed under Rule 9 of this Schedule shall safely retain in their possession all original preliminary lists of electors received by them from the Registrar of Electors and shall permit and make available for public inspection at all reasonable times such copies thereof as so received.

Rule 9.—The Registrar of Electors shall appoint in writing in Form No. 10 a Revising Officer for each revisal district in his electoral district. The Revising Officer thus appointed shall be a resident of the electoral district.

Rule 10.—Each Revising Officer, after making oath in Form No. 11 as such, shall, commencing and ending on the days fixed by the Commissioner and notified to him in writing by the Registrar of Electors, revise the preliminary list of electors of all polling divisions within his revisal district.

Rule 11.—Each Revising Officer appointed under Rule 9 hereof shall keep his office open for the revision of the list of electors from two o'clock until five o'clock, and from seven o'clock until ten o'clock in the afternoon, on at least three days to be fixed by the Commissioner and notified to the Registrar of Electors before the commencement of the revision. The Revising Officer shall remain continuously in attendance at such office while the same is open. Subject to the provisions of this Act and to such instructions as may be given by the Commissioner every Revising Officer shall regulate the procedure in all matters coming before him in such manner as he shall be directed by the Registrar of Electors.

Rule 12.—At the several sittings for revision the Revising Officer shall have jurisdiction (without limitation of any other jurisdiction in him) to dispose and he shall dispose—

(*a*) of applications made by electors who might have applied to enumerators to have their names included in the preliminary lists, or to have such lists corrected; and

(*b*) of objections on oath made under Rule 20 of these rules;

(*c*) of objections to the inclusion of any names in any preliminary list of electors of which at least two days' notice has been given in writing sent by mail, registered and prepaid, addressed to the person whose name is objected to at the address given for such person in the list.

Rule 13.—Any elector resident in any polling division included in a revisal district whose name has not been included or has been incorrectly included by enumerators in the list of electors for such polling division may apply to the Revising Officer at the revisal office for the revisal district to have his name included in the list, or to cause the entry in the list relating to him to be corrected.

Rule 14.—Every elector applying in person to the Revising Officer to have his name as it appears on the preliminary list for his polling division corrected shall sign an application in Form No. 12, in which all the information required by the said form shall be sufficiently filled in either by the applicant personally or by the Revising Officer at the applicant's request. Before correcting the list the Revising Officer shall satisfy himself that the applicant understands the effect of the statements in the application, and that he is entitled to have the list corrected pursuant to his request.

Rule 15.—Wherever the language of the applicant is not understood by the Revising Officer an interpreter may be sworn and may act.

Rule 16.—If the Revising Officer decides that the applicant's name should be included in the list, he shall in the presence of the applicant enter his name on such list.

Rule 17.—If the Revising Officer decides that the applicant is not entitled to have his name included in the list or is not entitled to have the preliminary list amended as requested, he shall notify the applicant in writing in Form No. 13 that his application is refused, stating the reasons for such refusal.

Rule 18.—Notwithstanding anything in these rules, if any elector who claims to have any entry in the list of electors relating to him corrected or to have his name added to the list, is unable personally to attend the revisal sittings by reason of sickness, disability, or necessary, temporary, unavoidable and *bona fide* absence from the revisal district then a relative of such person by blood or marriage or such person's employer may, if he has a sufficient knowledge of the facts, appear before the Revising Officer and orally support the correction, as to such elector, of the list, or the addition of his name, address and occupation thereto.

Rule 19.—If the relative by blood or marriage or the employer so appearing substantiates (*a*) the cause for the non-appearance of the person immediately concerned to be as in Rule 18 set forth, (*b*) the existence of a relationship by blood or marriage or the relationship of employer and employee, and (*c*) the facts relevant to the qualification, name, address or identity of the person immediately concerned, the Revising Officer may act upon such application as if the elector concerned had appeared in person before him.

Rule 20.—If any elector whose name appears in the list of electors for any polling division in the electoral district within which any revisal district is comprised makes oath in Form No. 14 before the Revising Officer, during or before his sittings for revision, giving particulars of the list upon which his name appears, stating that he is qualified to vote in that electoral district and alleging the death or disqualification of a person or the real residence of and the improper entry of the name of that person, or of such alleged to be dead or disqualified person, on any preliminary list of electors of a polling division which is comprised in such revisal district, the Revising Officer shall transmit by registered mail addressed to the person the appearance of whose name upon such list is objected to, at the address, if any, mentioned in the list of electors, and also at such other address, if any, as may be mentioned in the oath of such elector, a notice of objection in Form No. 15 requiring the person to appear in person or by representative before the Revising Officer on a day to be named in such notice to establish his qualification as an elector. The Revising Officer shall transmit with each copy of such notice a copy of the oath of the elector who has made the objection. The Revising Officer, in setting the time for such appearance shall pay regard to the course of mail and consider the time required for travel and preparing therefor.

Rule 21.—In case of any objection made on oath under Rule 20 of which notice has been properly given by the Revising Officer the onus of establishing his right to have his name included in the final list of electors shall be upon the person objected to, and if such person does not on the day for which notice of the hearing of such objection has been given appear before the Revising Officer personally or by representative, or, being present or represented, fails to satisfy the Revising Officer of his right to have his name retained on the list, the Revising Officer shall strike his name therefrom, whether or not the elector by whom the objection was made has appeared before him. Provided that if the Revising Officer receives in time from such person an affidavit or statutory declaration justifying on sufficient grounds his non-attendance and verifying his qualification to have his name retained on such list this rule shall not, as to the effect of non-appearance or as to the burden of proof, be applied.

Rule 22.—In the case of any objection to the inclusion of a name in the list of electors of which notice has been given by the objecting person otherwise than through the Revising Officer, the onus of establishing the validity of such objection shall rest upon the objecting person, and shall be discharged either by proper evidence that the name of the person objected to should not be included in the list of electors or by the production of a post office certificate of the registration of the package containing the notice of objection, and of the package itself having upon it a record by the post office indicating that the same could not be delivered.

Rule 23.—During or before his sittings for revision the Revising Officer shall copy into a book in Form No. 16 (one book for each polling division) with all streets, roads and avenues arranged as by such Form indicated, the preliminary lists, prepared by the enumerators of the various polling divisions of his electoral district, and shall during his sittings for revision add or correct in such book the names, addresses and occupations of such qualified electors as are added by him to the preliminary list or in respect of which any correction is made. He shall certify each amendment of the preliminary list so made in such book by appending thereto his initials and a note of the date of the amendment.

Rule 24.—Immediately after the conclusion of the sittings of the Revising Officers and the decision of all appeals, if any, which have been asserted from any of their ruings to a judge, or to a barrister appointed by the judge to act in his stead pursuant to Section 32 of this Act, or the elapse of the time limited by that section between the decision by the judge, or the barrister appointed by him to act in his stead, of such appeals, whichever event shall first occur, every Revising Officer after amending the list of electors to conform with the decision of the judge or the barrister appointed by him to act in his stead, if any decision has been made, shall, as respects each polling division in his revisal district, arrange in consecutive numerical order, by numbers of houses on streets, roads and avenues, lowest to highest, as in Form No. 16 (preserving as in such book the alphabetical order of streets, roads and avenues) the names of all electors appearing in such book as finally revised by him, and thereupon certify on oath as in Form No. 17 the said list of electors as in such book appearing, and such certified list as contained in such book shall be deemed to be the official list of electors of such polling division.

Rule 25.—Each Revising Officer shall prepare at least five copies of the statement of the additions and corrections in Form No. 18 made by him to and in the preliminary lists of electors of each polling division within his revisal district and shall forthwith transmit or deliver such copies to the Registrar of Electors. Upon receipt of such copies of the statement of additions and corrections, the Registrar of Electors shall immediately transmit one copy to each of the candidates at the pending election or their representatives, and shall also keep one copy on file in his office where it shall be available for public inspection at all reasonable hours.

Rule 26.—If at any time the number of applications for revision at any revisal office is such that the appointed Revising Officer cannot promptly dispose of them, the Commissioner, may authorize the Registrar of Electors to appoint additional Revising Officers or to provide one or more of them with clerical assistance.

Rule 27.—The Revising Officer shall permit to be present in the place of revision two representatives of each recognized and opposed political interest in the electoral district, but no such representative shall, except with the permission of the Revising Officer, have any right to take part or intervene in the proceedings.

Rule 28.—The Revising Officer shall, while sitting as such, be a conservator of the peace and have and possess the same powers as a justice of the peace in his province. He may appoint, if necessary, constables for the maintenance of order and for the arrest and detention of persons who are guilty of the personation of others, or of attempting to personate others, or who impede or improperly interrupt his proceedings or create a disturbance.

Rule 29.—Forthwith after compliance with Rule 24 herein, the Revising Officer shall deliver or transmit to the Registrar of Electors all documents in his possession in connection with the revision of the preliminary lists of electors. And the Registrar of Electors shall forthwith cause the official lists of electors to be printed in accordance with the instructions of the Commissioner, or shall, if so directed, deliver or transmit the said official lists to the Commissioner to be printed by the King's Printer as provided in Section 46 of this Act.

Rule 30.—Each printed copy of each list of electors, unless printed by the King's Printer, shall have appended thereto a printed certificate in Form No. 19 by the Registrar of Electors, that each print accurately sets out all the names, addresses and occupations of the persons referred to in the official list of electors for the polling division to which it relates. The Registrar of Electors shall furnish twenty copies of the list for each polling division to the candidates nominated at the pending by-election, or their representatives.

Rule 31.—The printed list as so certified by the Registrar of Electors under Rule 30 hereof shall be the list of electors for the polling division to which it relates but if any material difference between its contents and the contents of the official list is discovered after the completion of the printing, the Registrar of Electors shall furnish a certificate in Form No. 20 of such error to the Returning Officer and to the candidates or their representatives, and the printed list shall for all purposes be taken to have been amended in accordance with such certificate.

Rule 32.—The Registrar of Electors who has caused the official lists of electors to be printed shall forthwith after the said lists have been printed deliver or transmit five copies thereof to the Returning Officer and five copies thereof to the Chief Electoral Officer. If the Commissioner has caused the said lists to be printed he shall forthwith after the said lists have been printed transmit or deliver ten copies thereof to the Chief Electoral Officer.

Schedule B to Section 16

Preparation of Lists of Electors in Rural Polling Divisions

Rule 1.—Forthwith upon receiving the instructions of the Dominion Franchise Commissioner to prepare the lists of electors for a by-election, the Registrar of Electors shall, by writing in Form No. 4 of Schedule One to this Act, appoint a person to be an enumerator for each rural polling division (or part thereof in case such person is appointed to enumerate only a part of a polling division) in his electoral district.

Rule 2.—Notwithstanding anything in this Act contained, if it is impossible promptly to secure the services of a resident person who is qualified to act, an enumerator may be appointed to act in a rural polling division although he is not resident therein. In any event the enumerator must be a resident of the electoral district and qualified as a voter therein.

Rule 3.—Every enumerator shall forthwith on his appointment take an oath as such in Form No. 5 of Schedule One to this Act, and shall immediately thereafter post up in public places in the polling division at least six copies of a

notice in Form No. 21 of the said schedule, that he is about to prepare a list of qualified electors resident in the division, which said list will be revised and corrected by him at a stated place where he will be found between the hours of one and ten o'clock in the afternoon of the Wednesday, Thursday and Friday of a specified week fixed by the Commissioner and notified to the enumerator by the Registrar of Electors or if any of the said days is a public holiday in the province and the Registrar of Electors so directs, then on such of the said days as are not public holidays and on Saturday of the said week.

Rule 4.—The enumerator of each rural polling division (or part thereof, as the case may be), shall forthwith after posting such notice proceed to prepare a preliminary list of all the persons resident in his polling division who are qualified as electors. Such list shall be prepared from such information as the enumerator may be able to secure by personal enquiry in the polling division (or part thereof in case he is appointed to enumerate only part of a polling division) or from such other sources of information as may be available and can be conveniently used, including the printed 1935 list of electors prepared under *The Dominion Franchise Act.*

Rule 5.—The names, addresses and occupations of all electors, men or women, who are included by the enumerator in such list shall be written in an index book in Form No. 22 of Schedule One to this Act, with the names of the electors grouped according to the initial letter of their respective surnames, the post office address and occupation of each being fully stated.

Rule 6.—The enumerator shall, in such list, as indicated in Form No. 23 of Schedule One to this Act, register the name of a married woman or widow under the name or surname of her husband or deceased husband, as the case may be, prefixing the name with the abbreviation "Mrs". The name of an unmarried woman shall be prefixed with the word "Miss".

Rule 7.—On a day to be fixed and notified by the Registrar of Electors who appointed the enumerator concerned he shall close, for the time being, the preliminary list which he is preparing and forthwith make at least six plainly written copies of that list, as recorded in his index book, and append to each of such copies the certificate printed at the foot of Form No. 23 of Schedule One to this Act.

Rule 8.—The enumerator shall, forthwith after compliance with rule 7, post up one certified copy of his preliminary list of electors at the place within the polling division whereat he is to be found pursuant to rule 3. He shall also attach to such copy a copy of the notice posted up pursuant to rule 3. He shall also on the same day as that on which he posts up such certified copy of the list transmit or deliver to the Registrar of Electors at least four copies of the list of electors as contained in the index book; three of such copies to be for distribution by the Registrar of Electors to the candidates or their representatives and one copy to be retained by the Registrar of Electors, which copy shall be kept available for public inspection at all reasonable hours.

Rule 9.—The enumerator at any time after the posting up of a copy of the preliminary list of electors and not later than ten o'clock on the last of the three days specified for correction thereof in the notices posted by him, on being fully satisfied from representations made to him by any credible person under oath or otherwise that the preliminary list of electors as prepared by him in the index book requires amendment as hereinafter mentioned, may

(*a*) add to such index book the name of any person who is qualified as an elector at the by-election then pending and who is resident within the polling division, but whose name has been omitted from the preliminary list of electors; or

(*b*) strike out from such index book, by drawing erasing lines through it, the name of any person who is not qualified as an elector or who is not resident in the polling division; *or*

(*c*) correct any inaccurate statement as to the name, address or occupation of any person whose name appears in the said index book.

Rule 10.—Every correction made as aforesaid by the enumerator in the preliminary list of electors in the index book, by the addition, deletion or correction of any entry therein, shall be verified by there being appended to such change the initials of the enumerator and the date upon which the change was made.

Rule 11.—In order that he may be readily found by any person who desires to make representations with regard to any entry in or omission from the preliminary list, the enumerator shall attend at the place of which he has given notice as aforesaid between the hours of one and ten o'clock in the afternoon of the three days set for revision and correction of the said list and published pursuant to Rule 3 of this Schedule.

Rule 12.—The enumerator shall permit to be present in the place of revision two representatives of each recognized and opposed political interest in the electoral district, but no representative shall, except with the permission of the enumerator, have any right to take part or intervene in the proceedings.

Rule 13.—Immediately after ten o'clock in the afternoon of the last of the three days set for revision and correction of the preliminary list of the enumerator he shall prepare at least five copies of a statement in Form 24 of Schedule One to this Act of the changes and additions made by him to the index book (Form No. 22) subsequent to the posting by him of the copy of the preliminary list pursuant to Rule 8, and he shall not later than a day to be fixed and notified to him by the Registrar of Electors fill in and sign the certificate in Form No. 25 of Schedule One to this Act, appearing at the end of such index book, and transmit or deliver to the Registrar of Electors such index book, two certified complete copies of the corrected list of electors in such book contained and sufficient copies, not less than four, of such statement of changes and additions, three of which shall be distributed by the Registrar of Electors to the candidates or their representatives, and one copy kept by the said Registrar of Electors on file in his office, where it shall be available for public inspection at all reasonable hours. Such certified complete copies of the list of electors shall be the list of electors to be used by the appropriate election officers for the taking of the vote in the pending by-election.

Rule 14.—Immediately upon receipt of the two certified complete copies of lists of electors from the enumerator, the Registrar of Electors shall deliver or transmit the same to the returning officer of the electoral district concerned, one copy for delivery or transmission by the returning officer to the appropriate deputy returning officer and the other copy to be kept on file in the office of the returning officer. In very remote polling divisions, where the postal service is such that it is doubtful if the certified complete copies of the corrected list of electors can be returned by the returning officer to the polling division in time for the election, the Commissioner may direct that one copy of such list be delivered or transmitted by the enumerator direct to the deputy returning officer and the other copy to the Registrar of Electors to be dealt with as aforesaid.

Rule 15.—The enumerator shall retain in his possession a copy of the preliminary list posted up by him and a copy of the statement of changes and additions therein, which copy he shall permit to be inspected at any reasonable time by any elector who asks to be permitted to inspect the same.

Rule 16.—Enumerators shall be subject to and shall in all respects abide by and perform the directions of the Registrar of Electors. The Registrar of Electors may at any time replace any enumerator appointed by him by appointing another enumerator to act in the place and stead of the person already appointed, and any enumerator so replaced shall upon request in writing signed by the Registrar of Electors, by the subsequent appointee or by any other person authorized by the Registrar of Electors to receive the same, deliver or give up to him any index book or other franchise documents, papers and written information which he has obtained for the purpose of the performance of his duties; on default he shall be guilty of an offence punishable on summary conviction as in this Act provided.

Rule 17.—The Registrar of Electors shall, forthwith upon the receipt by him from any enumerator of copies of any preliminary lists of electors or of any statements of changes and additions made in any such preliminary list, furnish to each of the candidates or their representatives, one copy of such preliminary list of electors or statement of changes and additions.

(D) By striking out Part IV of the said Act and substituting the following:—

"PART IV

APPEALS TO A JUDGE

Urban Polling Divisions

32. (1) Any person who, being an elector of the applicable electoral district, has applied during the revision of the list of electors to add or strike off the name of any person to or from the list of electors of any urban polling division, or who has objected in writing to the adding or the striking off of the name of any person to or from such list, and such other person, and any person who has applied as aforesaid to add his own name to the list of electors of any polling division, if the application or objection of such person was made to a revising officer acting at a Revisal sitting under Section 16 of this Act, that person, if dissatisfied with the final ruling of such Revising Officer, with relation to such application or objection, may appeal therefrom to a judge.

(2) The expression " a judge," as used in this section, means—

(*a*) in relation to any electoral district within the judicial districts of Quebec or Montreal in the province of Quebec, the judge from time to time performing the duties of Chief Justice of the Superior Court, or of the Acting Chief Justice, each acting for the district in which he resides, as the case may be, or such other Superior Court Judge as may be assigned by the said Chief Justice or by the Acting Chief Justice to perform the duties by this section required to be performed by a judge;

(*b*) in relation to any electoral district within the judicial districts of St. Francis, and Three Rivers, in the province of Quebec, any of the resident judges of the Superior Court;

(*c*) in relation to any other electoral district in the province of Quebec, the judge indicated by the Chief Justice or the Acting Chief Justice as being the judge exercising from time to time the jurisdiction of the Superior Court Judge of the judicial district within which such electoral district lies;

(*d*) in relation to any electoral district in the Yukon Territory, the judge exercising from time to time the jurisdiction of the judge of the Territorial Court of the said Territory; and

(*e*) in relation to any other electoral district in Canada, the judge exercising from time to time the jurisdiction of the judge of the county court of the county, or the judge of the district court of the district, as the case may be, within which such electoral district lies.

(3) During the day on which a decision has been made by a Revising Officer, or at any time thereafter, but not later than the hour of six o'clock in the afternoon of the day following the last of the three days appointed for the revision of the lists, any elector may appeal from such decision by notifiying the Registrar of Electors in writing to this effect in Form No. 26. The Registrar of Electors shall thereupon arrange for such appeal to be heard by a judge within the five days following the closing of the sittings of the Revising Officer.

(4) In the event of the judge being for any reason unable himself to hear and determine the appeal within five days after the notice of the appeal given he may nominate and appoint in writing a barrister of not less than ten years' standing and resident within the electoral district to hear and determine the appeal within the said five days; and the decision of such barrister shall have like effect as if made by the judge himself; in the event of the judge thus appointing a barrister to hear and determine the appeal the judge shall so inform the Registrar of Electors in writing, and before hearing and determining the said appeal the barrister thus appointed shall make oath in Form No. faithfully to perform the duty thus imposed upon him, and shall transmit the said oath to the judge who appointed him to act in his stead.

(5) Upon the hearing of any such appeal from a final ruling which a Revising Officer has made, placing, retaining, or removing the name of any person on or from the list of electors of any polling division in the revisal district of such Revising Officer, the judge, or the barrister appointed by him under the preceding subsection, shall not rescind such final ruling of the Revising Officer nor order that the name of such person shall be placed, retained, or removed on or from the list of electors from any polling division of such electoral district, unless evidence satisfactory to the judge, or the barrister appointed by him as aforesaid, has been adduced at such hearing that such a person is a qualified elector whose place of residence is in the said polling division and that his name should be placed or retained on such list, or that such person is not a qualified elector whose place of residence is in the said polling division and that his name should be removed from such list.

(6) The judge, or the barrister appointed by him to hear and determine the appeal in his stead, shall report in writing to the Registrar of Electors the result of each such appeal as relates to any polling division of any Revising Officer's revisal district and the Registrar of Electors shall forthwith transmit or deliver a copy of such report to the Revising Officer of such revisal district. The Revising Officer shall be governed in placing, retaining, or removing any name on or from the list of electors of any polling division by such decision in writing of such judge or of the barrister aforesaid concerning the same."

(E) By striking out sections thirty-nine and forty-six of the said Act and substituting the following therefor:—

Offences by Franchise Officers

" 39 (1 Any Revising Officer who,

(*a*) wilfully refuses or neglects to make out any list of electors; or

(*b*) wilfully neglects to insert in the list of electors the name of any person who applies to be registered as an elector and who complies with all the provisions of this Act; or

(*c*) wilfully inserts in the list of electors the name of any person who is not qualified as an elector by this Act; or

(*d*) wilfully refuses or neglects to send any notice at the time and in the manner required by this Act; or

(*e*) wilfully refuses or neglects to deliver or transmit lists, books or documents to the Registrar of Electors as required by or under this Act; or

(*f*) wilfully refuses or neglects to attend the sittings for the revision of the lists of electors of his revisal district; or

(*g*) wilfully commits any dereliction of duty as a revising officer under this Act,—

shall be guilty of an offence against this Act and be liable, on summary conviction, to a penalty of not less than two hundred dollars and not exceeding one thousand dollars.

(2) Any Registrar of Electors who,

(*a*) wilfully refuses or neglects to publish, send or mail any notice or any list or declines to give a copy or copies of the same to any person entitled thereto at the time and in the manner required by this Act; or

(*b*) wilfully refuses or neglects to deliver or transmit lists, books, or documents to the Commissioner as required by or under this Act; or

(*c*) wilfully commits any dereliction of duty as a franchise officer under this Act,—

shall be guilty of an offence against this Act and be liable, on summary conviction, to a penalty of not less than two hundred dollars and not exceeding one thousand dollars.

Printing of Lists of Electors

46 (1) The King's Printer, whenever directed by the Commissioner, shall print or cause to be printed the lists of electors of any or all urban polling divisions of any electoral district and copies of any such lists, when printed, shall be supplied by the King's Printer to any person upon payment of the sum of ten cents for each copy of the list of a polling division.

(2) Every candidate shall be entitled on demand to twenty copies of the lists of all urban polling divisions of his electoral district, free of charge.

(3) The list of electors for any electoral district or polling division as printed by the King's Printer shall be deemed to be the list of electors for such electoral district or polling division as it purports to be: " any paper purporting to be a list of electors and purporting to be printed by the King's Printer shall be received as prima facie evidence of its purport in all courts of law without further proof."

(F) By amending section Forty-nine of the said Act as follows:—

By inserting the words " or Revising Officer " after the words " Any Registrar of Electors " in the first line thereof.

(G) By inserting the following as Section 53 of the said Act:—

" 53. (1) Whenever under the Canada Temperance Act a vote is to be taken, the procedure in connection with the preparation of the list of voters to be used thereat shall, in lieu of the procedure therein directed, be the procedure laid down in this Act with such modifications as the Dominion Franchise Commissioner may direct as being necessary by reason of the difference of the question to be submitted, and with such omissions as he may specify on the ground that compliance with the procedure laid down is not necessary.

(2) Any direction given by the Dominion Franchise Commissioner for a modification of or omission from the procedure in connection with the preparation of the list of voters directed by this Act shall be published by him in the *Canada Gazette* at least four weeks before the day upon which the vote is to be taken."

(H) By striking out Section Fifty-three of the said Act and substituting the following as Section Fifty-four:—

"54. (1) The provisions of *The Dominion Franchise Act,* Chapter Fifty-one of the Statutes of 1934, as amended, are not amended, repealed or otherwise affected by the provisions of this Act, except in so far as the preparation and revision of lists of electors to be used at Dominion By-elections, and matters incidental thereto, are concerned.

(2) This Act shall not come into force until "

(I) By striking out Schedule One of the said Act and substituting the following:—

SCHEDULE ONE

FORM No. 1. (*Sec. 12*)

OATH OF A REGISTRAR OF ELECTORS

Electoral District of.....
Province of.....

I (*name of Registrar*), Registrar of Electors for the above-mentioned electoral district, do swear (*or solemnly affirm*) that I will faithfully perform, without partiality, fear, favour or affection all the duties of that office. So HELP ME GOD.

.....
Registrar of Electors

FORM No. 2. (*Sec. 12*)

CERTIFICATE OF OATH OF REGISTRAR OF ELECTORS

I, the undersigned, do hereby certify that on the.....day of .....19..., at..... in the County of.....and Province of..... A.B., Registrar of Electors for the electoral district of..... in the province of....., made and subscribed before me the oath (or affirmation) hereunto attached and preceding.

C.D.
Justice of the Peace.
(or as the case may be).

FORM No. 3. (*Sec. 15*)

NOTICE OF REGISTRATION OF ELECTORS

Electoral District.....
Province of.....

Pursuant to instruction of the Dominion Franchise Commissioner bearing date the.....day of..... 19..., I am commanded to cause a registration of electors entitled to vote at a Dominion by-election in the electoral district above named, and I accordingly give public notice:—

1. That the registration of electors for a by-election in the above mentioned electoral district will commence on..... the..... day of.....19... and will end on..... the.....day of.....19...

2. That for the period of registration, I have established my office as registrar of electors for that electoral district at (*giving the address of the registrar of elector's office*) where I will be available from nine o'clock in the forenoon until six o'clock in the afternoon on every week day, for the execution of affairs relating to the registration of electors for a by-election.

3. That (*the registrar of electors will alter the wording of this paragraph to suit the circumstances*) the territory comprised within the city of..... .....will be urban polling divisions for which the lists of electors will be prepared and completed under the rules set forth in Schedule A to Section 16 of The Dominion By-elections Franchise Act, 1936, and that the polling divisions in the remainder of the electoral district will be rural polling divisions, for which the list of electors will be prepared and completed under the rules set forth in Schedule B to the said Section 16 of the said Act.

Of which all persons are required to take notice and act accordingly.

Given under my hand at.....this ..... day of....., 19....

A.B.
Registrar of Electors.

FORM No. 4. (*Sec. 16*)

APPOINTMENT OF AN ENUMERATOR

To (*insert name of enumerator*) , whose occupation is (*insert occupation*) , and whose address is (*insert address*) .

Know you that, in pursuance of Section 16 of The Dominion By-elections Franchise Act, 1936, I, the undersigned, in my capacity as Registrar of Electors for the Electoral District of..... do hereby appoint you an enumerator of polling division No..... in the said electoral district to prepare a preliminary list of electors resident in the said polling division in accordance with the provisions of The Dominion By-elections Franchise Act, 1936.

Given under my hand at..... this..... day of.....19....

A.B.
Registrar of Electors.

FORM No. 5 (*Sec. 16*)

OATH OF AN ENUMERATOR

I, the undersigned (*insert name of enumerator*) , appointed Enumerator for Polling Division No....., in the Electoral District of ....., do solemnly swear (or affirm) that I will act faithfully in my said capacity of enumerator, without partiality, fear, favour or affection, and in every respect according to law. SO HELP ME GOD.

A.B.
Enumerator.

CERTIFICATE OF OATH OF ENUMERATOR

I, the undersigned, do hereby certify that on the.....day of ....., 19...., the enumerator above named made and subscribed before me the above set forth oath (or affirmation).

In testimony whereof I have delivered to him this certificate under my hand.

C.D.
Justice of the Peace
(or, as the case may be)

FORM No. 6 (*Sec. 16, Sched. A, Rule 1*)

ENUMERATORS' NOTICE TO ELECTOR

Electoral District of.....
Urban Polling Division No.....

Notice is hereby given that application having been made to the enumerators for the above polling division to include in their preliminary list of electors therefor an entry as undernoted; such application has been disposed of as hereinafter mentioned. Also that if any entry made in such list is in any respect incorrect it may be corrected on application to the Revising Officer at the places and times of which public notice will hereafter be given by the Registrar of Electors for the above-mentioned electoral district.

Name of voter. (*Family name first*)
Occupation. (*Insert occupation*)
Address (*Insert address*)

This application has been
{GRANTED
{REFUSED
(Strike out inapplicable words)

.....
.....
Enumerators

FORM No. 7. (*Sec. 16, Sched. A, Rule 3*)

ENUMERATORS' PRELIMINARY LIST OF ELECTORS

Electoral District of ..... Polling Division No.....

Comprising the area included within a line described as commencing at the Intersection of Laurier Avenue West and Bronson Avenue, thence east along Laurier Avenue West to Lyon Street, thence south along Lyon Street to Gloucester Road, thence west along Gloucester Road to Bronson Avenue, and north along Bronson Avenue to point of commencement.

Name of Street *(or as the case may be)*	Street No.	Apartment No.	Name of Elector *(family name first)*	Occupation	Consecutive number
Bay St.	219	1	Johnson, Alfred	Painter	1
	219	1	Johnson, Mrs. Alfred	Married woman	2
	219	2	Fischer, James	Rly. employee	3
	219	3	Carroll, Ernest	Bookkeeper	4
	220	.....	McMillan, John	Civil Servant	5
	221	.....	Osborne, John	Printer	6
	222	.....	Payne, Charles	Printer	7
	223	.....	Paynter, Mrs. Henry	Married woman	8
Bronson Ave.	103	.....	Smith, Henry	Civil Servant	9
	104	.....	Henderson, Peter	Tinsmith	10
	105	.....	Stewart, Nelson	Mechanic	11
	105	.....	Stewart, Mrs. Nelson	Married woman	12
	106	.....	Kennedy, Ernest	Civil Servant	13
	106	.....	Kennedy, Miss Jane	Spinster	14
	107	.....	Davis, Louis	Jobber	15
Gloucester Road	323	1	Williams, James	Civil Servant	16
	323	2	Dunn, Robert	Retired	17
	323	3	Moffatt, Miss Lily	Spinster	18
	323	4	Pearson, Mrs. Alex	Widow	19
	326	.....	Carson, Harold	Clerk	20
	326	.....	Carson, Mrs. Harold	Married woman	21
	329	.....	Robinson, J. Alex	Civil Servant	22
	342	.....	Newman, Thomas	Commercial Traveller	23
	342	.....	Newman, Mrs. Thomas	Married woman	24
Laurier Ave.	456	.....	Murphy, Peter	Builder	25
	456	.....	Murphy, Mrs. Peter	Married woman	26
	459	1	Lusk, Nelson	Civil Servant	27
	459	1	Lusk, Mrs. Nelson	Married woman	28
	459	2	Lawson, John	Painter	29
	459	2	Lawson, Mrs. John	Married woman	30
	459	3	Woods, Peter	Clerk	31
	459	4	Collins, Joseph	Motorman	32
	530	.....	Delaney, Walter	Carpenter	33
	541	.....	Johnson, Isaac	Civil Servant	34
Lyon Street	204	.....	Moore, Alex	Tinsmith	35
	204	.....	McDonald, John	Civil Servant	36
	204	.....	McDonald, Mrs. John	Married woman	37
	207	.....	Murphy, Miss Jane	Civil Servant	38
	210	.....	Graham, William	Merchant	39
	210	.....	Graham, Mrs. William	Married woman	40
	215	.....	Russell, John	Civil Servant	41
	215	.....	Russell, Miss Dorothy	Spinster	42
Percy Street	3	1	Fisher, Howard	Clerk	43
	3	2	Johnson, James	Civil Servant	44
	3	3	Blackburn, John	Contractor	45
	3	3	Blackburn, Mrs. John	Married woman	46
	4	.....	Henderson, Edward	Carpenter	47
	11	.....	Smith, Henry	Blacksmith	48
	12	.....	Peters, James	Merchant	49
	12	.....	Peters, Mrs. James	Married woman	50

On the last page of each separate complete copy of the list prepared the enumerators will severally subscribe to the oath in Form No. 8.

FORM NO. 8 (*Sec. 16, Sched. A, Rule 5*)

OATH OF THE ENUMERATORS UPON COMPLETION OF PRELIMINARY LIST

We, the undersigned urban enumerators appointed to prepare a preliminary list of electors for polling division No. .....of the Electoral District of ..... do severally solemnly swear (or affirm) that the foregoing ..... sheets contain as complete and as correct list of qualified electors as we have been able to prepare for the above-mentioned polling division.

Severally sworn (*or affirmed*) before me at .....
this ..... day of ..... 19....

.....
Enumerator

.....
Justice of the Peace
(or, as the case may be)

.....
Enumerator

FORM No. 9 (*Sec. 16, Sched. A, Rule 7*)

NOTICE OF REVISION OF PRELIMINARY LISTS OF ELECTORS IN URBAN POLLING DIVISIONS

Electoral District of .....
Province of .....

The undersigned Registrar of Electors of the above-mentioned Electoral District hereby notifies all concerned:—

1. That, pursuant to the provisions of *The Dominion By-elections Franchise Act, 1936,* he has, in his capacity of Registrar of Electors of such electoral district grouped, and established the urban polling divisions of that electoral district into .....revisal districts as follows:—
(state how many)

REVISAL DISTRICT NO. 1

This revisal district consists of urban polling divisions numbers ..... of the above-mentioned electoral district and its boundaries
(state numbers)
are as follows .....
(state the boundaries of revisal district No. 1)
.....
.....

REVISAL DISTRICT NO. 2

(*Proceed as above as respects all revisal districts*)

2. And that for the purpose of revising the preliminary list of electors for the urban polling divisions included in each of such revisal districts, revisal offices will be opened in each thereof and the undernamed revising officers will attend at their respective revisal offices from two o'clock until five o'clock, and from seven o'clock until ten o'clock in the afternoon of each of the following three days, namely .....
(here insert the three
.....and.....
days of the week fixed for the revision)
the ....., ...
and ..... days of .....
(here insert the dates of the month fixed for the revision)
19.., when the preliminary lists for the several polling divisions will be revised by the undermentioned revising officers at the places specified below, namely:—

REVISAL DISTRICT No. 1

The revisal office of this revisal district will be located at No. .....
....street in the city (or town) of .....
The revising officer appointed to revise the list of electors of this revisal district is Mr. ....
(here insert the full
.....
name, address and occupation of the revising officer)
.....

REVISAL DISTRICT No. 2

(*Proceed as above as respects all revisal districts*)

3. And that the preliminary lists of all electors of all the polling divisions which are included in any one revisal district may be inspected at the place and times above stated with relation thereto.

4. And that at the several sittings for revision in the several revisal districts above notified the revising officers will dispose of applications made pursuant to *The Dominion By-Elections Franchise Act, 1936,* by or on behalf of, and with relation to, persons whose names have not been included or have been incorrectly or improperly included by enumerators in the preliminary lists for such polling divisions.

Notice is further given that the lists of electors as prepared by the enumerators which will be revised as aforesaid may be consulted during office hours at my office at .....
.....
(Here insert location of office of Registrar of Electors)

This notice is given under my hand at.....
this..... day of ....., 19....

A.B.
Registrar of Electors

for the Electoral District of.....

FORM No. 10 (*Sec. 16, Sched. A, Rule 9*)

APPOINTMENT OF REVISING OFFICER

To .....
(Insert name of Revising Officer)
whose occupation is .....
(insert occupation)
and whose address is.....
(insert address)

Know you that, in pursuance of Section 16 of *The Dominion By-Elections Franchise Act, 1936,* I, the undersigned in my capacity as Registrar of Electors for the Electoral District of ..... do hereby appoint you to be the Revising Officer for Revisal District No. .....
in the said Electoral District, to revise the preliminary lists of electors resident in the polling divisions therein in accordance with the provisions of *The Dominion By-Elections Franchise Act, 1936*

Given under my hand at.....
this..... day of ....., 19....

A.B.
Registrar of Electors

FORM No. 11 (*Sec. 16, Sched. A, Rule 10*)

OATH OF REVISING OFFICER

I, the undersigned..... .....
(Insert name of Revising Officer)
appointed Revising Officer for Revisal District No. .....in the Electoral District of ..... do solemnly swear (or affirm) that I will act faithfully in my said capacity of Revising Officer, without partiality, fear, favour or affection, and in every respect according to law. So help me God.

.....
Revising Officer

Certificate of Oath of Revising Officer

I, the undersigned do hereby certify that on the..... day of ....., 19...., the Revising Officer above named made and subscribed before me the above set forth oath (or affimation).

In testimony whereof I have delivered to him this certificate under my hand.

.....
Justice of the Peace
(or, as the case may be)

FORM No. 12 (*Sec. 16, Sched. A, Rule 14*)

APPLICATION OF AN ELECTOR FOR CORRECTION OF HIS NAME, ETC., AS IN A PRELIMINARY LIST

Electoral District of.....
Province of.....

I hereby apply for the correction of my name, address or description as it appears on the preliminary list of electors of polling division No..... of the above-mentioned electoral district.

In that list there is an entry, which, I believe, is intended to relate to me as follows:—

(Family name) Anderson (*or as the case may be*),
(First names) John James (*or as the case may be*),
(Occupation) Chairmaker (*or as the case may be*),
(Address) 22 Park St. (*or as the case may be*).

The said entry is erroneous. My true name, occupation and address are as set out below and I request that the mentioned preliminary list be corrected accordingly.

(Family name) Andrews (*or as the case may be*),
(First names) John Joseph (*or as the case may be*),
(Occupation) Upholsterer (*or as the case may be*),
(Address) 22 Park St. (*or as the case may be*).

In testimony whereof I hereunto sign my name at..... this..... day of ....., 19....

.....
(*Signature of Applicant*)

The number of this application is.....

THE DOMINION BY-ELECTIONS FRANCHISE ACT 1936

Electoral District of.....

Polling Division No.....

This is to certify that the application bearing the undermentioned number was refused.

.....

Revising Officer

No.....
to correct list of electors.

THE DOMINION BY-ELECTIONS FRANCHISE ACT 1936

Electoral District of.....

Polling Division No.....

This is to certify that the application bearing the undermentioned number was accepted.

.....

Revising Officer

No.....
To correct list of electors

FORM No. 13 (*Sec. 16, Sched. A, Rule 17*)

NOTICE OF REFUSAL TO REGISTER

This is to certify that.....
(*insert name of applicant*)
whose occupation is.....
(*insert occupation*)
and whose address is.....
(*insert address*)
on this..... day of....., 19....
applied to me for registration as an elector in polling division No.....,
in the electoral district of....., and that I refused his application for the following reasons:

.....
(*insert reasons for refusal to register*)
.....
.....

Given under my hand at.....
this..... day of....., 19....

.....
Revising Officer for
Revisal District No......

FORM No. 14 (*Sec. 16, Sched. A, Rule 20*)

AFFIDAVIT OF OBJECTION TO A REGISTERED ELECTOR

Electoral District of.....

I, (*name in full, family name last*), whose address is (*address as in list of electors*), and whose occupation is (*occupation as in list of electors*), make oath (*or solemnly affirm*) and say:—

1. That I am the person described on the preliminary list of electors for polling Division No....., in (*insert name of city or town*), in the above electoral district, now in course of revision, and my address and occupation are set out above as given in the said preliminary list of electors.

2. That there has been included in the preliminary list of electors in course of revision for Polling Division No....., in the electoral district of.....
....., in the said city (or town) or place above described, the name of (*set out name as in list of electors*), whose address is given as (*set out address as in list of electors*), and whose occupation is stated as (*set out occupation as in list of electors*).

3. I know of no other address at which the said person is more likely to be reached than that so stated in the said preliminary list of electors, except (*Give alternative of better address, if one is known*).

4. That I have good reason to believe and do verily believe that the said name should not appear upon the said list of electors for this electoral district because the person, if any, described by the said entry (*Insert one of the grounds of disqualification as hereinafter set out*).

Sworn (or affirmed) before me at.....
.....,
this..... day of.....
19.....

.....
(*Deponent to sign here*)

.....
Revising Officer for
Revisal District No.....

Grounds of Disqualification Which May Be Set Out In The Affidavit

(1) "Is dead."
(2) "Is not qualified because he (or she) has not attained the full age of twenty-one years."
(3) "Is not qualified because he (or she) is not a British Subject by birth or naturalization."
(4) "Is not qualified because he (or she) has not resided in Canada during the last twelve months."
(5) "Is not qualified because he (or she) was not resident in this electoral district on the" (*naming the day*).
(6) "Is disqualified from voting because he (or she) is" (*naming the class of disqualified persons to which the person objected to belongs*), as e.g., "a judge appointed by the Government of Canada", an Indian resident on an Indian reservation who did not serve in the naval, military or air forces of Canada in the war 1914-1918", *or. as the case may be: see section 4 of The Dominion By-elections Franchise Act, 1936.*
(7) "Has to my knowledge, been included in the preliminary list of electors prepared for Polling Division No....., in which he (or she) resides".

FORM No. 15 (*Sec. 16, Sched. A, Rule 20*)

NOTICE OF OBJECTION TO ELECTOR OBJECTED TO

Electoral District of.....

To: (*Set out name, address and occupation of elector as in the preliminary list of electors, adding name of city or town, also addressing the same notice to any other address given on Form No. 14*).

Take notice that an affidavit, of which a copy is sent herewith, has been made before me this day alleging that you are not entitled to vote at the pending Dominion by-election in any of the polling divisions in the above-mentioned electoral district for the reason set out in the said affidavit.

And take notice that if you desire your name to remain on the list of electors mentioned in such affidavit you must appear before the revising officer at his sitting to be held at No. .....
street in the (*City or Town*) of.....
on the.....day of....., 19 ,
where he may be found from two o'clock until five o'clock and from seven o'clock until ten o'clock in the afternoon of that day.

And take notice that if you do not then appear before the revising officer and establish before him your right to have your name included in the said list of electors, your name will be struck off the said list of electors without any further action on the part of the elector by whom the objection has been made.

This notice is given pursuant to Rule 20 of Schedule A to Section 16 of The *Dominion By-elections Franchise Act, 1936.*

Dated at .....this .....
day of....., 19

A. B.
Revising Officer for Revisal District No. ..

FORM No. 16. (*Sec. 16, Sched. A, Rule 23*)

REVISING OFFICER'S BOOK (*Geographical*)

Electoral District of....., Polling Division No. .....
Comprising the area included within a line described as commencing at the Intersection of Laurier Avenue West and Bronson Avenue, thence east along Laurier Avenue West to Lyon Street, thence south along Lyon Street to Gloucester Road, thence west along Gloucester Road to Bronson Avenue, and north along Bronson Avenue to point of commencement.

Name of Street *(or as the case may be)*	Street No.	Apartment No.	Name of Elector *(family name first)*	Occupation	Consecutive number
Bay St.....	219	1	Jones, Alfred.....	Painter.....	1
	219	1	Jones, Mrs. Alfred.....	Married woman.....	2
	219	2	Fischer, James.....	Railway employee..	3
	219	3	Carroll, Ernest.....	Bookkeeper.....	4
	220	.....	McMillan, John.....	Civil Servant.....	5
	220	.....	McMillan, Miss Jane.....	Spinster.....	6
	221	.....	Osborne, John.....	Printer.....	7
	222	.....	Payne, Charles.....	Printer.....	8
	223	.....	Paynter, Mrs. Henry.....	Married woman.....	9
Bronson Ave.....	103	.....	Smith, Harry.....	Civil Servant.....	10
	104	.....	Henderson, Peter.....	Tinsmith.....	11
	105	.....	Stewart, Nelson.....	Mechanic.....	12
	105	.....	Stewart, Mrs. Nelson.....	Married woman.....	13
	106	.....	Kennedy, Ernest.....	Civil Servant.....	14
	107	.....	Davis, Louis.....	Jobber.....	15
Gloucester Rd.....	323	1	Williams, James.....	Civil Servant.....	16
	323	2	Dunn, Robert.....	Retired.....	17
	323	3	Moffatt, Miss Lily.....	Spinster.....	18
	323	4	Pearson, Mrs. Alex.....	Widow.....	19
	326	.....	Carson, Harold.....	Clerk.....	20
	326	.....	Carson, Mrs. Harold.....	Married woman.....	21
	329	.....	Robinson, J. Alex.....	Civil Servant.....	22
	342	.....	Newman, Thomas.....	Commercial traveller.....	23
	342	.....	Newman, Mrs. Thomas.....	Married woman.....	24
Laurier Ave. West.....	456	.....	Murphy, Peter.....	Builder.....	25
	456	.....	Murphy, Mrs. Peter.....	Married woman.....	26
	459	1	Lusk, Nelson.....	Civil Servant.....	27
	459	1	Lusk, Mrs. Nelson.....	Married woman.....	28
	459	2	Lawson, John.....	Painter.....	29
	459	2	Lawson, Mrs. John.....	Married woman.....	30
	459	3	Woods, Peter.....	Clerk.....	31
	459	4	Collings, Joseph.....	Motorman.....	32
	530	.....	Delaney, Walter.....	Carpenter.....	33
	541	.....	Johnson, Isaac.....	Civil Servant.....	34
Lyon St.....	204	.....	Moore, Alex.....	Tinsmith.....	35
	204	.....	McDonald, John.....	Civil Servant.....	36
	204	.....	McDonald, Mrs. John.....	Married woman.....	37
	207	.....	Murphy, Miss Jane.....	Civil Servant.....	38
	210	.....	Graham, William.....	Merchant.....	39
	210	.....	Graham, Mrs. William.....	Married woman.....	40
	215	.....	Russell, John.....	Civil Servant.....	41
	215	.....	Russell, Miss Dorothy.....	Spinster.....	42
Percy St.....	3	.....	Henderson, Edward.....	Carpenter.....	43
	4	1	Fisher, Howard.....	Clerk.....	44
	4	2	Johnson, James.....	Civil Servant.....	45
	4	3	Blackburn, John.....	Contractor.....	46
	4	3	Blackburn, Mrs. John.....	Married woman.....	47
	11	.....	Smith, Henry.....	Blacksmith.....	48
	12	.....	Peters, James.....	Merchant.....	49
	12	.....	Peters, Mrs. James.....	Married woman.....	50

FORM No. 17. (*Sec. 16, Sched. A, Rule 24*)

OATH OF REVISING OFFICER

I, (insert name of revising officer) , of the City of ....., in the Province of ....., revising officer for revisal district No. ....., in the electoral district of....., make oath (or solemnly affirm) and say:—

That this book contains an accurate transcription of all the entries appearing in the enumerators' preliminary list of electors for polling division No. ....., in the above-mentioned electoral district as corrected in the course of the revision, and also contains the names and other particulars of all other persons who, as a result of application made in the course of the said revision, appeared to be entitled to have their names added to the said preliminary list of electors.

And that the said book has been in all respects properly prepared in accordance with the provisions of *The Dominion By-Elections Franchise Act, 1936.*

Sworn (*or affirmed*) before me
at .....
this .....day of.....
....., 19

....., *Revising Officer.*

....., *Justice of the Peace (or, as the case may be)*

FORM No. 18. (*Sec. 16, Sched. A, Rule 25*)

REVISING OFFICER'S STATEMENT OF CHANGES AND ADDITIONS MADE IN THE ENUMERATORS' PRELIMINARY LIST OF URBAN ELECTORS

Polling Division No.....
Electoral District of.....

CERTIFICATE

I certify that the following is a correct statement of all the changes and additions which have been made in the numerators' preliminary list of electors for the above-mentioned polling division in the course of the revision.

Dated at ....., this .....
day of ....., 19

A.B.,
Revising Officer.

The following names appearing in the enumerators' preliminary list of electors have been struck out:—

Name of Street *(or, as the case may be)*	Street No.	Apartment No.	Name of Elector *(Family name first)*	Occupation	Remarks

The following names have been added to the enumerators' preliminary list of electors:—

Name of Street *(or, as the case may be)*	Street No.	Apartment No.	Name of Elector *(Family name first)*	Occupation	Remarks

The following entries in the enumerators' preliminary list of electors have been corrected so as to appear as follows:—

Name of Street *(or, as the case may be)*	Street No.	Apartment No.	Name of Elector *(Family name first)*	Occupation	Remarks

FORM No. 19. (*Sec. 16, Sched. A, Rule 30*)

CERTIFICATE OF REGISTRAR OF ELECTORS WHO HAS CAUSED THE LIST OF ELECTORS TO BE PRINTED

Electoral District of.....
Polling Division No.....

I certify that the appended printed list of electors accurately sets out all the names, addresses and occupations of the electors referred to in the list of electors as finally revised by the Revising Officer for the above-mentioned polling division.

Dated at ....., this .....
day of ....., 19....

A.B.,
Registrar of Electors.

FORM No. 20 (*Sec.* 16, *Sched. A, Rule* 30)

CERTIFICATE OF REGISTRAR OF ELECTORS TO CORRECT ERRORS MADE IN THE PRINTING OF THE LIST OF ELECTORS

To the Returning Officer of the Electoral District of.....

I, the undersigned Registrar of Electors for the above-mentioned Electoral District, hereby certify that the printed list of electors of polling division No. ..... of the said electoral district prepared for the pending by-election differs from the official list of electors as finally revised by the Revising Officer thereof, the name of.....
.....
.....
.....
(*Insert full name, occupation and address of elector*)
having been omitted from the said printed list.

Therefore, pursuant to Rule 30 of Schedule A to Section 16 of *The Dominion By-Elections Franchise Act, 1936,* the printed list of electors for the said polling division is deemed to have been amended to include the name of the elector above-mentioned.

Given under my hand at.....
this.....day of....., 19....

A.B.
Registrar of Electors

FORM No. 21 (*Sec.* 16, *Sched. B, Rule* 3)

NOTICE OF RURAL ENUMERATION OF ELECTORS

Electoral District of.....
Rural Polling Division No.....

Public notice is hereby given that the undersigned has been appointed enumerator for the above-mentioned rural polling division and is about to prepare a preliminary list of the electors who are qualified to vote therein at a Dominion by-election, and that he will complete the said preliminary list of electors on the.....day of....., 19....
(*insert the date fixed by the Registrar of Electors for the closing of the preliminary list*)

And that during the hours between one and ten o'clock in the afternoon of Wednesday, Thursday and Friday, the....., ...
and.....day of the month of....., 19...
he will attend and remain at.....
.....
(*insert an exact description of the place where the enumerator intends to remain*)
so that he may be found there by any person who desires to direct attention to any error in any entry in the preliminary list or to represent that such list does not contain the name of any one in the above polling division who is qualified to vote at the pending Dominion By-election or does contain the name of any person who is not qualified to vote thereat.

And that in order that the preliminary list of electors shall be available for reference by persons desiring to consult the same, a copy thereof will, forthwith after the completion thereof, be posted at the place above-mentioned and will remain so posted until all proper corrections in the list have been made.

And after ten o'clock in the afternoon of Friday, the last of the three days above-mentioned, the list of electors as finally corrected and settled will be certified by him and will constitute the official list of electors to be used at the pending by-election for the polling division above-mentioned.

Dated at.....this.....
day of....., 19....

A.B.
Enumerator

FORM No. 22. (*Sec. 16, Sched. B, Rule 5*)

INDEX BOOK

Form for first page

Electoral District of.....
Polling Division No..... comprising (*giving limits*).
.....
.....

Name (*Family name first*)	Occupation	Residence (*Street and Number (where possible)*	Remarks

Name (*Family name first*)	Occupation	Residence (*Street and Number where possible*)	Remarks

FORM No. 23 *(Sec. 16, Sched. B, Rule 7)*

LIST OF ELECTORS

Electoral District of .....
Polling Division No. .....comprising (*giving the limits*)
.....

No.	Name (Family name first)	Occupation	Post Office Address	Remarks
1.	Allan, John	Farmer	Westboro, Ont.	
2.	Allan, Mrs. John	Married woman	Westboro, Ont.	
3.	Carter, Miss Mary	Civil servant	Westboro, Ont.	
4.	Carson, John	Clerk	Westboro, Ont.	
5.	Dawes, Henry	Carpenter	Westboro, Ont.	
6.	Dawes, Mrs. Henry	Married woman	Westboro, Ont.	
7.	Egan, Paul	Farmer	Westboro, Ont.	
8.	Egan, Mrs. Paul	Widow	Westboro, Ont.	

I certify that the attached ..... sheets contain a true copy of the preliminary list of electors for the polling division above described as prepared by me for use at the pending by-election.

Dated at ..... this ..... day of ....., 19..

A. B.,
Rural Enumerator.

FORM No. 24 (*Sec. 16, Sched. B, Rule 13*)

STATEMENT OF CHANGES AND ADDITIONS MADE BY THE RURAL ENUMERATOR IN THE PRELIMINARY LIST OF ELECTORS

Polling Division No. .....
Electoral District of .....

CERTIFICATE

I certify that the following is a correct statement of the changes and additions which have been made in the preliminary list of electors for the above polling division.

Dated at ..... this ..... day of ....., 19..

A. B.,
Enumerator.

The following names have been added to the preliminary list of electors:—

No.	Name	Occupation	Residence

The following names in the preliminary list of electors have been corrected so as to appear as follows:—

No.	Name	Occupation	Residence

The following names appearing in the preliminary list of electors have been struck out:—

No.	Name	Occupation	Residence

FORM No. 25 (Sec. 16, Schd. B, Rule 13)

CERTIFICATE OF RURAL ENUMERATOR

I, ... of .....
(Insert name of enumerator)
in the Province of ..... duly appointed as rural enumerator for polling division No. ..... in the Electoral District of..... do hereby declare that this Index Book contains as complete a list of the qualified electors in the said polling division as I have been able to prepare.

THAT the entries in the said Index Book against which no dates or initials appear in the " Remarks " columns represent the entries originally made by me in the preparation of the preliminary list of electors.

AND THAT the initialed corrections and additions represent corrections and additions made thereafter and included by me in the statement of changes and additions and the complete copy of the list of electors as corrected.

AND THAT I have prepared the list of electors for this polling division impartially and to the best of my ability; There now appear therein the names of all persons in this polling division whom I believe to be qualified as electors at the pending Dominion By-election, and no names of any persons whom I do not consider to be lawfully qualified to vote appear therein.

Dated at ..... this .....
day of ....., 19...

A.B.
Rural Enumerator for Polling Division No. ....

FORM No. 26 *(Sec. 32)*

NOTICE OF APPEAL TO A JUDGE AGAINST THE DECISION OF A REVISING OFFICER

Electoral District of .....
Polling Division No. .....

To ..... Registrar of Electors for the
(Insert name of Registrar of Electors)
Electoral District of ..... *take notice* that the undersigned is appealing to a Judge, as defined by Section Thirty-two of *The Dominion By-Elections Franchise Act, 1936,* from the ruling made on the.....
day of ....., 19..., by .....
(Insert name of Revising Officer)
at his sitting as Revising Officer for the revision of the list of electors for revisal district No. ....., of the above-mentioned Electoral District, on the following grounds:—

.....
(State grounds of appeal)
.....
.....
.....

Dated at ..... this .....
day of ....., 19...

Name .....
Address.....

FORM No. 27 (*Sec. 32*)

OATH OF BARRISTER APPOINTED BY JUDGE TO HEAR AN APPEAL

I, the undersigned.....
(*Insert name of barrister*)
of .....
(*Insert name of city or town*)
in the province of.....
appointed by His Honour Judge.....
(*Insert name of Judge*)
in his stead to hear and determine appeals against the decisions of the Revising Officer for revisal district No....., of the Electoral District of ....., made at his sittings for the revision of the lists of electors to be used at the pending Dominion by-election, do solemnly swear (or affirm) that I will act faithfully in my said capacity without partiality, fear, favour or affection, and in every respect according to law. SO HELP ME GOD.

.....
Barrister-at-law.

Certificate of Oath of Barrister Appointed by Judge to Hear Appeal

I, the undersigned, hereby certify that on the.....
day of.....19...., the above named.....
(*Insert name of barrister*)
made and subscribed before me the above set forth oath (or affirmation).

.....
Justice of the Peace.
(*or, as the case may be*)

Fourth and Final Report

Your committee and the sub-committee appointed by it have held 24 meetings for the purpose of studying the matters referred under the orders of reference of February 21 and March 5, 1936.

Your committee was informed that it was not the intention of the government to make general revisions of either the Franchise Act 1934 or the Election Act 1934 at this session of Parliament, and as no annual revision of voters' lists was being made this year, it deemed it necessary as a first duty to prepare draft bills by way of amendment to both acts making provision for the holding of by-elections on reasonably accurate lists of electors. This was accordingly done and the draft bills referred to were submitted to Parliament with the third report of the committee.

Owing to the wide scope of the references and the necessity of arriving at a decision on the advisability of adopting proportional representation and the alternative vote in single-member constituencies, or either of them, before proceeding with the other matters of reference, these were the next matters dealt with.

Your committee, in the course of their sittings for the study of these subjects, heard and examined four witnesses, as follows:—

Mr. Ronald Hooper, of Winnipeg, Manitoba.
Mr. W. C. Good, of Paris, Ontario.
Mr. C. P. Wright, of Wolfville, Nova Scotia.
Mr. Harry Butcher.

The case for proportional representation was fully and ably presented by Messrs. Hooper, Good and Wright and your committee gave every consideration to their representations and suggestions, but found that even in the minds of these outstanding proponents of the system there was a doubt as to its adaptability to the whole of the Dominion of Canada.

Your committee were greatly impressed by the obvious sincerity of Messrs. Hooper, Good and Wright in their advocacy of the Proportional Representation System and their desire to see at least a start made in putting it into effect, but were not convinced that it would be wise for Parliament to adopt that system. It should, perhaps, be stated that these gentlemen recommended only the Hare system, which is one of the five most commonly used systems of proportional representation, of which more than three hundred have already been invented.

Your committee feel indebted to Mr. Harry Butcher for the exhaustive and unbiased inquiry he has made into both the Proportional Representation System and the alternative vote in single-member constituencies and would especially refer to his concluding analysis in the minutes of the proceedings and evidence of May 12, 1936, in which he summed up the result of his study and investigation, which analysis is hereto attached as an appendix to this report.

Your committee have given the most careful consideration to the views presented by Messrs. Hooper, Good and Wright, as well as to the analysis presented by Mr. Butcher, and, as a result, recommend that unless, and until, conclusive evidence can be adduced showing that the adoption of either or both of the systems in Canada would be conducive to good government, neither proportional representation nor the alternative vote in single-member constituencies should be adopted by the Parliament of Canada.

The order of reference respecting methods of effecting redistribution could not effectively be considered until proportional representation and the alternative vote were disposed of, and at this late date in the session your committee feels that it cannot give this important subject the study that is due it, and therefore recommends the re-appointment of the committee in the next session of Parliament to complete the work on this reference.

Several meetings were devoted to the study of compulsory registration of voters and compulsory voting as well as to a consideration of suggested amendments to the Franchise and Election Acts 1934, but your committee believes that further investigation is necessary before reporting to Parliament thereon, and accordingly recommends that these subjects be again referred to the committee at the next session.

During the course of its deliberations your committee heard four witnesses from British Columbia asking that the franchise be extended to Canadian citizens of Japanese origin; the brief filed by them is attached hereto and opens up a subject of wide and far-reaching importance on which much further evidence will have to be obtained before your committee could make any findings with respect to the request made.

It is the unanimous opinion of your committee that the study and assistance rendered by Mr. Butcher, counsel to the committee; Mr. Castonguay, the Chief Electoral Officer, and Colonel Thompson, the Franchise Commissioner, have been of invaluable service and recommends that they be requested to further study and analyse all suggestions made for the amendment of both the Franchise Act, 1934, and the Election Act 1934, between now and the next session, with the object in view of being prepared at that time to give concrete and specific information on the value of each and every suggestion.

Your committee further recommends that the evidence taken, together with an index be printed as an appendix to the Journals of the House. A copy of the minutes of proceedings and evidence taken by the committee is attached hereto.

All of which is respectfully submitted.

C. E. BOTHWELL,
Chairman.

MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,
THURSDAY, March 5, 1936.

The Clerk called the meeting to order at 11 a.m.

Members present: Messrs. Bothwell, Cameron (*Cape Breton N.-V.*), Factor, Fair, Glen, Jean MacNicol, Perley (*Qu'Appelle*), Power, Purdy, Robichaud, St. Père, Stevens, Stewart, Stirling, Taylor (*Norfolk*), Turgeon, Wood.

On motion of Mr. Taylor, Mr. Bothwell was elected Chairman of the committee.

Mr. Bothwell took the Chair.

Mr. Factor moved that leave be asked of the House, to sit while the House is sitting and to print the day to day proceedings and evidence.

Carried.

Mr. H. Butcher, Commissioner appointed by the Government to enquire into and report on franchise and electoral matters was in attendance and was called upon to present and file,

(*a*) Summary of representations made by members of parliament;
(*b*) Summary of opinions from the Chief Electoral Officer, election officers, political organizations and others.

The clerk was requested to obtain, if possible, a sufficient number of copies of the Election Act, 1930, and Election and Franchise Acts, 1935, for the members of the committee.

The following documents filed with the committee or tabled in the House, were ordered printed, viz.;

(*a*) The several summaries filed by Mr. H. Butcher
(b) Report of Chief Electoral Officer, pursuant to section 4 of the Representation Act, dated February 3, 1936
(*c*) Report of Chief Electoral Officer, pursuant to section 58 of Dominion Election Act
(*d*) Report of Dominion Franchise Commissioner, addressed to the Speaker of the House, dated February 18, 1936.

Mr. Butcher to appear at the next sitting of the committee.

The meeting adjourned till Friday, March 6th, at 11 a.m.

FRIDAY, March 6, 1936.

The Special Committee on Elections and Franchise Acts met at 11 a.m. Mr. Bothwell, the Chairman, presided.

Members present:—Messrs. Bothwell, Cameron (*Cape Breton N.-V.*), Clark (*York-Sunbury*), Fair, Glen, Heaps, Jean, MacNicol, McCuaig, McLean (*Simcoe East*), Parent (*Quebec W. and S.*), Perley (*Qu'Appelle*), Purdy, St. Père, Sinclair, Stevens, Stewart, Stirling, Taylor (*Norfolk*), Turner, Wermenlinger, Wood.

On motion of Mr. Glen,

Resolved,—That permission be asked to reduce the quorum from 16 to 12 members.

Mr. H. Butcher was recalled and heard respecting the subject matters of the orders of reference.

It was decided that Col. J. T. C. Thompson, Dominion Franchise Commissioner, be requested to appear for examination next Tuesday.

The Committee adjourned until Tuesday, March 10, at 11 a.m.

TUESDAY, March 10, 1936.

The Special Committee on Elections and Franchise Acts met at 11 a.m. Mr. Bothwell, the Chairman, presided.

Members present:—Messrs. Bothwell, Cameron (*Cape Breton N.-V.*), Dussault, Factor, Glen, Heaps, MacNicol, McIntosh, McLean (*Simcoe East*), Parent (*Quebec W. and S.*) Perley (*Qu'Appelle*), Purdy, Rickard, St. Père, Stevens, Stewart, Stirling, Taylor (*Norfolk*), Turgeon, Wermenlinger, Wood.

On motion of Mr. McIntosh,—

Ordered,—That the leaflet "Re-arm The Electorate," submitted to the Committee at the last meeting by Hon. Mr. Stevens, be printed as an Appendix to this day's evidence.

Col. J. T. C. Thompson, Dominion Franchise Commissioner, was called, heard and questioned respecting procedure in respect of by-elections.

On motion of Hon. Mr. Stevens,—

Resolved,—That a sub-committee of five, including the Chairman, be appointed to draft a brief amendment to make provision for the preparation of lists for by-elections which might occur prior to the complete revision of the Act.

It was decided that the Chairman should name and call the sub-committee at his convenience.

Mr. MacNicol requested correction of two words in his remarks as contained in No. 2 of the day to day copy of evidence, viz.:

Page 26. Line 20. "present" to be changed to "rural."

Page 34. Line 24. "raise" to be changed to "maintain."

The Committee adjourned, to meet at the call of the Chair.

TUESDAY, March 31, 1936.

The Special Committee on Elections and Franchise Acts met at 11 a.m. Mr. Bothwell, the Chairman, presided.

Members present: Messrs. Bothwell, Cameron (*Cape Breton, N.-V.*), Clark (*York-Sunbury*), Dussault, Factor, Fair, Glen, Heaps, Jean, MacNicol, McCuaig, McLean (*Simcoe East*), Perley (*Qu'Appelle*), Purdy, Robichaud, St. Père, Stevens, Stewart, Stirling, Taylor (*Norfolk*), Turgeon, Turner, Wermenlinger, Wood.

In attendance: Mr. Butcher.

On behalf of the sub-committee appointed to prepare a bill to provide for the holding of by-elections that may be held prior to a general revision of the Elections Act, the Chairman reported that several meetings had been held and that good progress had been made. He expressed the hope that at the next meeting of the Committee mimeographed copies of the draft bill would be available.

The Chairman announced the receipt of a memorandum from the Canadian Navigators' Federation Inc. of Montreal. (*See Minutes of Evidence of this day*).

Mr. Butcher requested that the following corrections be made in the evidence he gave on March 6, viz:—

Page 15, line 25. Delete " In Manitoba " and all thereafter to and including " invalid " in line 28, and substitute the following: " The Elections Act of all the provinces except Manitoba, and The Dominion Elections Act, Section 64, which reads: ' Every executory contract, promise or undertaking in any way referring to, arising out of or depending upon any election under this Act, *even* for the payment of lawful expenses or the doing of some lawful act, shall be void in law '. Section 148 of the Manitoba Elections Act reads: ' Every executory contract, promise or undertaking in any way referring to, arising out of or depending upon any election under this Act, *except* for the payment of lawful expenses or the doing of some lawful act, shall be void in law '."

Page 20, line 33. Delete " you have that right."

Page 31, line 5. Delete " population " and substitute " electors."

Page 33, line 19. Delete all after " alternative vote " up to and including " New Zealand " in line 20, and substitute the following: " called the transferable vote, in Australia, and the majority system in New Zealand."

On motion of Mr. Turgeon,—

Resolved,—That the above corrections requested by Mr. Butcher be agreed to.

The following suggestions received from Members of Parliament, filed on March 5 by Mr. Butcher and contained in page 1 of the evidence of that day, were severally taken up:—

(1) Proportional Representation and the Alternative Vote should be considered.

Consideration was postponed.

(2) Registration should be compulsory—
(*a*) At least in urban electoral districts.
(*b*) Advisable in rural electoral districts.

Consideration was postponed.

(3) Voting should be compulsory—
(*a*) And an identification card system adopted.

Consideration was postponed.

(4) The Government should bear a substantial portion of the candidates' election expenses—

On motion of Mr. Turgeon,—

Resolved,—That the Committee negative the suggestion.

(*a*) A candidate's expenses should be limited by law to a certain amount per head of the voting population of the constituency in which he is running.

Mr. McLean (*Simcoe East*) moved that the Committee negative the suggestion.

Mr. Glen suggested that Mr. McLean's motion be not put until a later date.

By permission, Mr. McLean withdrew his motion.

Further consideration was postponed.

(5) Election day should be a public holiday—

(*a*) Or at least from one P.M. till the close of poll.

Stood over for further discussion.

(6) Candidates should be permitted to hire cars to take voters to the polls.

On motion of Mr. McCuaig,—

Resolved,—That the suggestion be negatived.

(7) Contribution from powerful corporations should be curbed—

(*a*) There should be publication of all subscriptions received.

Stood over for further discussion.

(8) Closed Lists should be abolished in rural constituencies and in rural polls in urban constituencies.

Stood over for further discussion.

(9) The absentee vote should be abolished (as costly and ineffective), (5,334 votes cast; 1,533 rejected; 3,801 valid; printing $16,000; total cost approximately $250,000). (About $65.00 per valid vote.)

Stood over for further discussion.

(10) Right to vote at advance polls should be extended to all qualified electors who will necessarily be away from their polling division on election day.

Stood over for further discussion.

(11) Young people coming of age prior to day of election and otherwise qualified, should be permitted to vote on production of birth certificate if vouched for by a resident elector.

Stood over for further discussion.

(12) The method of transferring names from one list to another should be simplified in certain cases, so for instance—

One member of a family should be able to arrange for transfer of the names of all members of the family living in the same home.

Similarly, one member of the family should be permitted to register the names of other members of the same family living in the same home.

Stood over for further discussion.

(13) Publication of election returns from East to West should be synchronized, or hours of polling should vary, as for instance—

From ten to eight in Nova Scotia, New Brunswick and P.E.I.
Nine to seven, Quebec and Ontario.
Eight to six, Manitoba and Saskatchewan.
Seven to five, Alberta and British Columbia.

Stood over for further discussion.

(14) When there is a further redistribution, an independent commission should be appointed to set new boundaries.

Stood over for further discussion.

(15) Public buildings should be used wherever possible for polling booths.

Stood over for further discussion.

(16) There should be polls in hospitals for patients and staffs (See Paragraph 18 of Election Instructions).

Stood over for further discussion.

The Chairman invited the members to address themselves to the questions of Proportional Representation and the Alternative Vote, so that these subjects could be discussed at a subsequent meeting.

The Committee adjourned, to meet on Thursday, April 2, at 11 a.m.

THURSDAY, April 2, 1936.

The Special Committee on Elections and Franchise Acts met at 11 a.m. Mr. Bothwell, the Chairman, presided.

Members present: Messrs. Bothwell, Cameron (*Cape Breton N.-V.*), Clark (*York-Sunbury*), Factor, Heaps, Jean, MacNicol, McCuaig, McLean (*Simcoe East*), Parent (*Quebec W. and S.*), Purdy, Rickard, Robichaud, St. Père, Stevens, Stewart, Stirling, Taylor (*Norfolk*), Turner, Wermenlinger, Wood.

In attendance: Mr. Castonguay, Chief Electoral Officer; Mr. Butcher.

Consideration was resumed of suggestions received from Members of Parliament by Mr. Butcher, as filed on March 5, viz:—

(17) Flags, bunting and loud-speakers on cars and trucks should be prohibited for eight days before election.

On motion of Mr. Factor,—

Resolved,—That the words "for eight days before election" be deleted and "on election day" substituted; and that the suggestion, as so amended, be approved.

(18) The use of radio for election speeches on election day should be controlled or prohibited.

On motion of Mr. MacNicol,—

Resolved,—That the words "controlled or" be deleted, and that the suggestion, as so amended, be approved.

(19) Notice to voters should be given by election officers when a candidate withdraws after nomination. (If notice is received in time, there should be printed notice within the poll and the D.R.O. should with rubber stamp mark off names from ballot.)

On motion of Mr. Stewart,—

Resolved,—That the suggestion be approved.

(20) Married woman, widows, and single women should be described in lists by their own proper names; married woman not by the name of their husbands, and the " W " in any event should be eliminated.

On motion of Mr. Factor,—

Resolved,—That the letter " W " be eliminated.

(21) Lists should be arranged alphabetically.

On motion of Mr. Heaps,—

Resolved,—That the suggestion be negatived.

(22) Advising voters as to time and place of poll should be abandoned.

On motion of Mr. Robichaud,—

Resolved,—That the suggestion be approved.

(23) An effort should be made to induce the provinces to co-operate with the Dominion with a view to having Provincial and Dominion polls coincide as to area. (With a view to the use of the same voters' lists by both Dominion and Provinces.)

On motion of Mr. Jean,—

Resolved,—That the suggestion be negatived.

(24) The Chief Electoral Officer should have the right to declare closed lists in any rural electoral district adjacent to a large city. (Montreal and Toronto specially mentioned.)

On motion of Mr. Jean,—

Resolved,—That the suggestion be negatived.

(25) All voters' lists should be revised up to two weeks before an election.

Stood over for further discussion.

(26) That the returning officer should provide in urban electoral districts an index to voters' lists giving poll and ward with key and map.

On motion of Mr. Factor,—

Resolved,—That the suggestion be negatived.

(27) Nomination day should be two weeks before polling day throughout Canada.

On motion of Mr. Factor,—

Resolved,—That the suggestion be negatived.

(28) Voters' lists should be printed locally.

On motion of Mr. MacNicol,—

Resolved,—That the suggestion be approved.

It was decided to consider Proportional Representation at the next meeting of the Committee.

The Committee adjourned until Monday, April 6, at 10.30 a.m.

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MONDAY, April 6, 1936.

The Special Committee on Elections and Franchise Acts met at 10.30 a.m. Mr. Bothwell, the Chairman, presided.

Members present: Messrs. Bothwell, Cameron (*Cape Breton N.-V.*), Clark (*York-Sunbury*), Dussault, Glen, Heaps, Jean, MacNicol, McIntosh, Parent (*Quebec W. and S.*), Purdy, Rickard, Robichaud, St-Père, Sinclair, Stevens, Stewart, Stirling, Turner, Wermenlinger, Wood.

In attendance: Mr. Castonguay Chief Electoral Officer; Mr. Butcher.

The subject of Proportional Representation was considered. Mr. MacNicol addressed the Committee at length, and was followed by Mr. Heaps.

The Chairman suggested that an outstanding proponent of Proportional Representation might be invited to attend and give the Committee the benefit of his views. Mr. MacNicol suggested the name of Mr. Ronald Hooper of the Winnipeg Tribune.

The Committee adjourned, to meet at the call of the Chair.

TUESDAY, April 28, 1936.

The Special Committee on Elections and Franchise Acts met at 11 a.m. Mr. Bothwell, the Chairman, presided.

Members present: Messrs. Bothwell, Cameron (*Cape Breton N.-V.*), Clark (*York-Sunbury*), Factor, Glen, Heaps, Jean, MacNicol, McCuaig, Purdy, Rickard, Robichaud, St-Père, Sinclair, Stevens, Stewart, Stirling, Taylor (*Norfolk*), Turner, Wermenlinger and Wood.

In attendance: Col. J. T. Thompson, Dominion Franchise Commissioner; Mr. Jules Castonguay, Chief Electoral Officer; Mr. H. Butcher; Mr. Ronald Hooper, Winnipeg, Man.; Mr. C. P. Wright, Wolfville, N.S.; and Mr. W. C. Good, Paris, Ont.

On motion of Mr. Stevens,—

Resolved,—That the summoning of Messrs. Roland Hooper, C. P. Wright and W. C. Good to attend this day as witnesses be approved.

Mr. Roland Hooper was called, heard and questioned respecting Proportional Representation.

The Committee adjourned at 1.10 p.m. until 2 p.m.

The Committee resumed at 2 p.m.

Members present: Messrs. Bothwell, Glen, Jean, MacNicol, McCuaig, Purdy, Robichaud, St-Père, Sinclair, Stewart, Taylor (*Norfolk*), Turner, Wermenlinger and Wood.

Mr. Ronald Hooper was recalled and further examined.

Mr. Hooper retired.

It was decided that the evidence of Mr. W. C. Good on the subject of Proportional Representation be heard at the next meeting.

The Committee adjourned at 3 p.m. until Wednesday, April 29, at 1.30 p.m.

WEDNESDAY, April 29, 1936.

The Special Committee on Elections and Franchise Acts met at 1.30 p.m. Mr. Bothwell, the Chairman, presided.

Members present: Messrs. Bothwell, Clark (*York-Sunbury*), Dussault, Factor, Fair, Glen, Heaps, Jean, MacNicol, McIntosh, Purdy, Rickard, Robichaud, Sinclair, Stewart, Stirling, Taylor (*Norfolk*), Turgeon, Turner, and Wood.

In attendance: Col. J. T. Thompson, Dominion Franchise Commissioner; Mr. Jules Castonguay, Chief Electoral Officer; Mr. H. Butcher; Mr. Ronald Hooper, Winnipeg, Manitoba.

Mr. W. C. Good, Paris, Ontario, was called, heard and questioned respecting Proportional Representation.

Mr. Good was discharged.

The Chairman expressed to Messrs. Hooper and Good the thanks of the Committee for their able presentation of the subject of Proportional Representation.

It was decided that the evidence of Mr. C. P. Wright, of Wolfville, Nova Scotia, be heard at the next meeting.

The Committee adjourned until Friday, May 1, at 11 a.m.

FRIDAY, May 1, 1936.

The Special Committee on Elections and Franchise Acts met at 11 a.m. Mr. Bothwell, the Chairman, presided.

Members present: Messrs. Bothwell, Cameron (*Cape Breton N.-V.*), Clark (*York-Sunbury*), Dussault, Glen, Jean, McIntosh, McLean (*Simcoe East*), Purdy, Rickard, Robichaud, Stevens, Stirling, Turner, Wermenlinger and Wood.

In Attendance: Col. J. T. Thompson, Dominion Franchise Commissioner; Mr. Jules Castonguay, Chief Election Officer; and Mr. H. Butcher.

Mr. Robichaud requested that a question asked by him on April 28, contained on page 123, line 22, of the evidence, be corrected, viz.:—

> "If you divide the province into five divisions we would have only five ridings...."

which should read,—

> "If you divide the province into five-member divisions we would have only two ridings...."

Ordered,—That this correction be made.

Mr. C. P. Wright, Wolfville, N.S., was called, heard and questioned respecting Proportional Representation.

On the suggestion of Mr. Wright, the clerk was instructed to write to Mr. J. H. Humphreys, Secretary of the Proportional Representation Society, London, England, to request literature concerning Proportional Representation, for the use of the members of the committee.

Mr. Wright was discharged.

The Chairman thanked Mr. Wright, in the name of the members of the committee, for his assistance.

It was decided that the proposed bills to amend the Dominion Franchise Act, 1934, and the Dominion Elections Act, 1934, would be considered at the next meeting.

The committee adjourned until Tuesday, May 5, at 11 a.m.

WEDNESDAY, May 6, 1936.

The Special Committee on Elections and Franchise Acts met at 10.30 a.m. Mr. Bothwell, the Chairman, presided.

Members present: Messrs. Bothwell, Cameron (*Cape Breton N.-V.*), Clark (*York-Sunbury*), Factor, Fair, Glen, MacNicol, McCuaig, Purdy, Robichaud, Stewart, Stirling, Taylor (*Norfolk*), Turgeon, Turner, Wermenlinger, and Wood.

In attendance: Col. J. T. Thompson, Dominion Franchise Commissioner; Mr. Jules Castonguay, Chief Election Officer; and Mr. H. Butcher.

On behalf of the sub-committee the Chairman submitted the proposed draft bills to amend the Dominion Elections Act, 1934, and the Dominion Franchise Act (by-Elections), on which the members of the sub-committee had unanimously agreed. He made acknowledgment of the generous assistance given by Col. Thompson and Messrs. Castonguay and Butcher in the drafting of the proposed bills.

Mr. Butcher made brief reference to some of the amendments proposed in the said bills.

Mimeographed copies were distributed to the members of the committee. The Chairman requested the members to study these carefully in the interval before the next meeting, when the bills would be considered in detail.

The committee adjourned until Friday, May 8, at 10 a.m.

FRIDAY, May 8, 1936.

The Special Committee on Elections and Franchise Acts met at 10 a.m. Mr. Bothwell, the Chairman, presided.

Members present: Messrs. Bothwell, Cameron (*Cape Breton N.-V.*), Clark (*York-Sunbury*), Fair, Glen, Jean, MacNicol, Purdy, Rickard, Robichaud, Stevens, Stewart, Stirling, Taylor (*Norfolk*), and Turner.

In attendance: Col. J. T. Thompson, Dominion Franchise Commissioner; Mr. Jules Castonguay, Chief Electoral Officer; and Mr. H. Butcher.

The committee considered the proposed draft bills to amend the Dominion Elections Act, 1934, and the Dominion Franchise Act.

On motion of Hon. Mr. Stewart,—

Resolved,—That in Form No. 42 of the Schedule to the bill to amend the Dominion Elections Act the clause: "That you desire to vote at this pending by-election," be deleted.

On motion of Mr. Cameron,—

Resolved,—That the two draft bills, with the above-mentioned amendment, be adopted and recommended to the House. It was decided that at the next meeting the subject of Proportional Representation should be further considered.

The committee adjourned, to meet at the call of the Chair.

TUESDAY, May 12, 1936.

The Special Committee on Elections and Franchise Acts met at 10.30 a.m. Mr. Bothwell, the Chairman, presided.

Members present: Messrs. Bothwell, Cameron (*Cape Breton N.-V.*), Clark (*York-Sunbury*), Dussault, Factor, Fair, Glen, MacNicol, McCuaig, Parent (*Quebec W. and S.*), Purdy, Rickard, Robichaud, Stewart, Stirling, Taylor (*Norfolk*), Wermenlinger, Wood.

In attendance: Col. J. T. Thompson, Dominion Franchise Commissioner; Mr. H. Butcher.

Mr. Butcher was recalled. He read a prepared statement respecting his findings and conclusions in regard to Proportional Representation and the Alternative Vote.

Mr. Butcher retired.

The Chairman announced the receipt of a letter from Mr. Robert A. Walker of Moose Jaw, together with suggestions for electoral reform.

On motion of Mr. Cameron,—

Resolved,—That the subcommittee that submitted draft bills in respect of The Dominion Elections Act, 1934, and The Dominion Franchise Act be appointed to draft a report on Proportional Representation and the Alternative Vote, and report back to the committee.

On motion of Mr. Glen,—

Resolved,—That the letter and suggestions of Mr. Walker, referred to above, be submitted to the subcommittee on Proportional Representation and the Alternative Vote.

The committee adjourned, to meet at the call of the Chair.

FRIDAY, May 22, 1936.

The Special Committee on Elections and Franchise Acts met at 11 a.m. Mr. Bothwell, the Chairman, presided.

Members present: Messrs. Bothwell, Cameron (*Cape Breton North-Victoria*), Factor, Glen, Heaps, MacNicol, Parent (*Quebec West and South*), Perley (*Qu'Appelle*), Purdy, Sinclair, Stirling, Turgeon.

In attendance: Mr. Jules Castonguay, Chief Electoral Officer; Mr. H. Butcher.

On behalf of the Japanese Canadian Citizens' League, composed of British-born subjects of Japanese descent, a brief was submitted and filed requesting that clause XI of section 4 of the Dominion Franchise Act, 1934, and amending Acts, be repealed, to permit British subjects of the Japanese race to vote in Dominion elections. Copies of the brief were distributed to the members present.

Four delegates from the Japanese Canadian Citizens' League were present, viz:—

Miss A. Hideko Hyodo, School Teacher, Vancouver, B.C.
Mr. Minoru Kobayashi, Life Insurance Agent, Vancouver, B.C.
Dr. E. Chutaro Banno, Dentist, Vancouver, B.C.
Dr. S. Ichie Hayakawa, University Professor, Wisconsin, U.S.A.

The four delegates were heard in the order indicated and were questioned.

By permission of the Committee, Mr. Neill, M.P., and Mr. Reid, M.P., asked questions.

On behalf of the Committee, the Chairman expressed appreciation of the manner in which the case had been presented.

The Committee adjourned to meet at the call of the Chair.

WEDNESDAY, May 27, 1936.

The Special Committee on Elections and Franchise Acts met at 11 a.m. Mr. Bothwell, the Chairman, presided.

Members present:—Messrs. Bothwell, Cameron (*Cape Breton, N.V.*), Factor, Glen, Heaps, Jean, Parent (*Quebec W. and S.*), Perley (*Qu'Appelle*), Purdy, Rickard, Robichaud, Stevens, Stirling, Taylor (*Norfolk*), Turgeon, Turner, Wermenlinger, Wood.

In attendance: Col. J. T. Thompson, Dominion Franchise Commissioner; Mr. Jules Castonguay, Chief Electoral Officer; Mr. H. Butcher.

The Committee considered a draft report respecting Proportional Representation and the Alternative Vote submitted by the Chairman on behalf of the subcommittee appointed to prepare such report. On motion of Mr. Turgeon, it was agreed that three paragraphs containing quotations from evidence given by witnesses be deleted. On motion of Mr. Jean, the Committee decided that Mr. Butcher's analysis of Proportional Representation and the Alternative Vote, made on May 12 and contained on page 179 and subsequent pages of the Minutes of Evidence, be appended to the report to be made to the House. On motion of Mr. Glen, the draft report, as amended, was adopted for inclusion in a general report to be made to the House at a later date.

Mr. Harry Butcher was recalled. He requested that two corrections be made in the evidence he gave on May 12, viz—

Page	Line	
189	3	After "defeated" insert "Most of my quotations come from proportional representation pamphlets. This is from pamphlet 74."
189	5-6	Delete "Most of my quotations come from proportional representation pamphlets. This is from pamphlet 74."

Ordered, that the above corrections be made.

Mr. Butcher was heard and examined regarding Compulsory Registration of Voters and Compulsory Voting.

Mr. Butcher retired.

The Chairman stated that Mr. MacNicol, absent to-day, was willing, at a subsequent meeting, to present the results of his investigations respecting compulsory registration of voters and compulsory voting.

The Committee adjourned to meet at the call of the Chair.

THURSDAY, June 4, 1936.

The Special Committee on Elections and Franchise Acts was called to meet at 11 a.m. when the following members were present: Messrs. Bothwell, Cameron (*Cape Breton North-Victoria*), Clark (*York-Sunbury*), Factor, Fair, Glen, Heaps, McLean (*Simcoe East*), Purdy, Robichaud.

In attendance: Col. J. T. Thompson, Dominion Franchise Commissioner; Mr. Jules Castonguay, Chief Electoral Officer; Mr. H. Butcher.

A quorum not being present, the Chairman, Mr. Bothwell, announced that the Committee would meet on Friday, June 5, at 11 a.m.

FRIDAY, June 5, 1936.

The Special Committee on Elections and Franchise Acts met at 11 a.m. Mr. Bothwell, the Chairman, presided.

Members present: Messrs. Bothwell, Cameron (*Cape Breton North-Victoria*), *Clark* (*York-Sunbury*), Fair, Glen, Heaps, MacNicol, Purdy, Rickard, Robichaud, Stevens, Stewart, Stirling, Taylor (*Norfolk*), Turgeon, Turner, Wermenlinger, Wood.

In attendance: Col. J. T. Thompson, Dominion Franchise Commissioner; Mr. Jules Castonguay, Chief Electoral Officer; Mr. Harry Butcher.

Mr. Butcher was recalled. He supplied information requested at the last meeting respecting electoral procedure and costs in Australia.

Mr. Butcher retired.

Mr. MacNicol, a member of the Committee, provided information respecting compulsory enrolment and compulsory voting in Australia, as well as statistics indicating the percentages of voters who exercised the franchise in the Canadian general elections of 1925, 1926, 1930 and 1935. The Chairman conveyed the thanks of the Committee to Mr. MacNicol for the information supplied.

Mr. Butcher was recalled and read a list of recommendations received by the Committee from members of Parliament and others for changes in electoral procedure.

Mr. Butcher retired.

Mr. Stirling suggested that an index be made to the evidence taken.

The Committee adjourned to meet at the call of the Chair.

THURSDAY, June 11, 1936.

The Special Committee on Elections and Franchise Acts met at 10.30 a.m. Mr. Bothwell, the Chairman, presided.

Members present: Messrs. Bothwell, Cameron (*Cape Breton N.-Victoria*), Clark (*York-Sunbury*), Factor, Glen, Heaps, Jean, MacNicol, McCuaig, McLean (*Simcoe East*), Purdy, Rickard, Robichaud, Stevens and Taylor (*Norfolk*).

The Chairman read a letter from Mr. J. S. Taylor, M.P. for Nanaimo, regarding suggestions of amendments to the Elections Act made by Mr. H. J. McIntyre.

On motion of Mr. Stevens,

Resolved,—That these suggestions be put on the record. (See appendix).

The Fourth and Final Draft Report of the Committee was read by the Chairman, considered, and adopted, on division.

Mr. MacNicol requested correction of figures quoted by him, viz:—

Page 243, line 43, " 90 per cent " to be changed to " 80 per cent."

Ordered,—That the said correction be made.

On motion of Mr. MacNicol, seconded by Mr. Heaps, a vote of thanks was tendered to the Chairman for the admirable manner in which he had presided over the deliberations of the committee.

Several members expressed their high appreciation of the ability and sense of fairness manifested by the Chairman, and all heartily concurred in the motion.

The committee adjourned at 11 o'clock a.m.

MINUTES OF EVIDENCE

SUGGESTIONS FROM MEMBERS FILED BY MR. H. BUTCHER

(1) Proportional Representation and the Alternative Vote should be considered.

(2) Registration should be compulsory—

(*a*) At least in urban electoral districts.

(*b*) Advisable in rural electoral districts.

(3) Voting should be compulsory—

(*a*) And an identification card system adopted.

(4) The Government should bear a substantial portion of the candidates' election expenses—

(*a*) A candidate's expenses should be limited by law to a certain amount per head of the voting population of the constituency in which he is running.

(5) Election day should be a public holiday—

(*a*) Or at least from one P.M. till the close of poll.

(6) Candidates should be permitted to hire cars to take voters to the polls.

(7) Contribution from powerful corporations should be curbed—

(*a*) There should be publication of all subscriptions received.

(8) Closed Lists should be abolished in rural constituencies and in rural polls in urban constituencies.

(9) The absentee vote should be abolished (as costly and ineffective), (5,334 votes cast; 1,533 rejected; 3,801 valid; printing $16,000; total cost approximately $250,000). (About $65.00 per valid vote.)

(10) Right to vote at advance polls should be extended to all qualified electors who will necessarily be away from their polling division on election day.

(11) Young people coming of age prior to day of election and otherwise qualified, should be permitted to vote on production of birth certificate if vouched for by a resident elector.

(12) The method of transferring names from one list to another should be simplified in certain cases, so for instance—

One member of a family should be able to arrange for transfer of the names of all members of the family living in the same home.

Similarly, one member of the family should be permitted to register the names of other members of the same family living in the same home.

(13) Publication of election returns from East to West should be synchronized, or hours of polling should vary, as for instance—

From ten to eight in Nova Scotia, New Brunswick and P.E.I.
Nine to seven, Quebec and Ontario.
Eight to six, Manitoba and Saskatchewan.
Seven to five, Alberta and British Columbia.

(14) When there is a further redistribution, an independent commission should be appointed to set new boundaries.

(15) Public buildings should be used wherever possible for polling booths.

(16) There should be polls in hospitals for patients and staffs (See paragraph 18 of Election Instructions).

(17) Flags, bunting and loud-speakers on cars and trucks should be prohibited for eight days before election.

(18) The use of radio for election speeches on election day should be controlled or prohibited.

(19) Notice to voters should be given by election officers when a candidate withdraws after nomination. (If notice is received in time, there should be printed notice within the poll and the D.R.O. should with rubber stamp mark off names from ballot.)

(20) Married women, widows, and single women should be described in lists by their own proper names; married women not by the name of their husbands, and the "W" in any event should be eliminated.

(21) Lists should be arranged alphabetically.

(22) Advising voters as to time and place of poll should be abandoned.

(23) An effort should be made to induce the provinces to co-operate with the Dominion with a view to having Provincial and Dominion polls coincide as to area. (With a view to the use of the same voters' lists by both Dominion and Provinces.)

(24) The Chief Electoral Officer should have the right to declare closed lists in any rural electoral district adjacent to a large city. (Montreal and Toronto specially mentioned.)

(25) All voters' lists should be revised up to two weeks before an election.

(26) That the returning officer should provide in urban electoral districts an index to voters' lists giving poll and ward with key and map.

(27) Nomination day should be two weeks before polling day throughout Canada.

(28) Voters' lists should be printed locally.

(29) Registrars should have the right to delete names of deceased voters from lists on production of certificate of death and on being satisfied that the person whose name is on the list is the person whose death is recorded in the certificate.

From an Election Officer in Lethbridge—

There should be a limitation on the amounts spent for printing and advertising. Newspapers should not be permitted to charge more for election material than their usual advertising rates.

Scrutineers should be paid by the State just as other polling officers are paid.

Registrar of Electors of Regina—

Believes that the provisions of the Franchise Act providing for an annual revision should be continued. Claims that over a period of four years the cost is no larger than it is when enumeration takes place just prior to an election. States that in Regina there was a better list under the Franchise Act than ever before either in a Federal or Provincial election.

The National Union of Operating Engineers, Local 3, Vancouver:— (and other similar organizations.)

Believes that the Act should be amended making each Dominion election day a compulsory public holiday.

Election Official:—(30 years experience in elections.)

Franchise Act should be repealed and the Franchise provisions carried back again to the Elections Act. If that is done, lists should be compiled by revising officers instead of registrars.

The provisions of the Act as to serving of refreshments at picnics should be made more clear; also those relating to carrying labels on motor cars.

"Proper use of radios on radio cars should be clarified".

There should be greater latitude given to candidates in the matter of the right to make certain legal payments themselves instead of through the official agent.

DOMINION FRANCHISE COMMISSIONER
CANADA

OTTAWA, February 18, 1936.

The Honourable,

The Speaker of the House of Commons,

Ottawa.

DEAR SIR,—Section fifty-two (52) of the Dominion Franchise Act requires the Commissioner, after each revision of the lists of electors, to make a report to the Speaker of the House of Commons, as to what, if any, amendments in his opinion are desirable for the more convenient administration of the Statute.

The first revision of the lists of electors was held, pursuant to the Statute, in 1935. As a result of such revision it appears to me that the following amendments are desirable:—

I. Sections 25 and 26—

The above Sections make provision for objection to be lodged against the name of any elector on the list.

It appears that electors are reluctant to make an objection to the name of a deceased elector in the manner provided in the Statute.

I suggest that these two sections be amended to provide that a Registrar be permitted to delete the name of a deceased elector upon receipt of a notice from the Vital Statistics Branch of the Province, or any official duly authorized to register births, deaths and marriages; or possibly through an arrangement with the Dominion Bureau of Statistics: The Registrar of Electors to notify the sitting member and the defeated candidates or their organization of his intention to make such deletion after the date stated in such notification.

From inquiries I have made from the various provinces, I consider that arrangement could be made that Registrars of Electors be notified of the deaths of electors on the list.

II. Section 28-C—

Presently during the whole of the revisal period an application may be made to a Registrar to have a name entered on the list. The result was that during the revision in 1935 Registrars received a multitude of applications on the last day of revisal period. In such cases neither the Registrar nor the interested persons had a reasonable opportunity of checking the validity of such applications.

I suggest, therefore, that a date be fixed by Statute *after which* applications for registration may not be received, and that *after* such date the Registrar proceed to hold his Courts of Revision to consider and decide upon all the applications already received: A reasonable time to elapse between the last day for qualification, and the commencement of the sittings of the Court of Revision. This would give the interested persons an opportunity of checking

up all applications received. In the urban districts, if such a date were fixed, the revision could be held in a more orderly manner than was done in 1935; and in the rural districts a situation could not arise as was the case in 1935, viz.— It frequently happened that after a Registrar had held his Court of Revision in one part of his district and had proceeded to other parts many miles distant, he received applications from some sections in which he had already revised; and on account of the great distance and the short length of time then at his disposal, neither the Registrar nor the interested parties had an opportunity of making inquiries as to the validity of these late applications.

III. Section 29 (paragraphs 2 and 3)—

Now that the basic list has been established and revised during 1935, it would appear that the typewritten lists prepared by the Registrars are not required except where there has been a re-allocation or re-grouping of polling divisions.

I suggest that the Registrar merely prepare a report for each polling division on appropriate forms showing deletions, additions and corrections: A copy of these reports to be forwarded to the Commissioner.

IV Section 46—

In view of the next preceding paragraph I suggest that this section be amended to provide that the lists be printed only when a by-election is necessary or when a general election is in view.

V Section 28-H—

There is no provision in the Statute authorizing Registrars to transfer a name from one polling division to another polling division in the same electoral district. Such transfers were, however, made in view of the general powers conferred under the above section.

I suggest that there should be a new section to provide specifically for such a transfer.

VI Section 21—

Notice of the holding of the annual revision is given by Statute in the form prescribed and the form was posted in the various post offices throughout Canada.

This method does not appear to give sufficient publicity to the annual revision of the lists of electors.

I suggest that greater publicity would be given to the revision if the Registrars issued a brief notice stating where their office will be located and where and when the courts of revision will be held: Such notice to be implemented by a brief advertisement in one or more newspapers in the Registrar's electoral district.

Yours very truly,

(Sgd) JOHN THOMPSON
Dominion Franchise Commissioner.

REPORT OF THE CHIEF ELECTORAL OFFICER

Pursuant to Section 4 of the Representation Act
February 3rd, 1936

OFFICE OF THE CHIEF ELECTORAL OFFICER

OTTAWA, February 3rd, 1936.

To the Honourable the Speaker
of the House of Commons,
Ottawa, Ontario.

SIR,—Pursuant to Section 4 of the Representation Act, 1933, I have the honour to report that, in addition to the points dealt with in my reports of January 24th, 1934, and January 15th, 1935, the following are all the rulings on the subject of the boundaries of electoral districts which I have been called upon to make since the last session of Parliament.

(1) *Grey-Bruce—Grey North.*—The village of Chatsworth comprises an area which was originally included partly in the township of Sullivan and partly in the township of Holland, but the Representation Act of 1933 includes the township of Sullivan in the electoral district of Grey-Bruce and the township of Holland in the electoral district of Grey North and no mention is made of the village of Chatsworth. The population of this village, according to a statement made by the municipal clerk in a letter to me, dated November 12th, 1934, is 280, of which 165 reside in that part of the village lying in the township of Holland and 115 in that part lying in the township of Sullivan. It seems to me, however that the intention was not to include part of the village in the electoral district of Grey-Bruce and part in the electoral district of Grey North. At the time of the passing of the Representation Act of 1933, the newspapers in that locality published a list of the municipalities comprised in the new electoral districts of Bruce, Grey-Bruce and Grey North and in every publication the village of Chatsworth was included in the list of municipalities comprised in the electoral district of Grey-Bruce. Consequently, the general impression in these three electoral districts was that the village of Chatsworth was wholly comprised in that electoral district. In September, 1934, the returning officers were instructed to revise the polling division arrangements of their electoral districts and the returning officer for Grey-Bruce included the village of Chatsworth in his electoral district and the other returning officers did not object to his so doing. Consequently, the list of electors for the village of Chatsworth was prepared under the supervision of the Registrar of Electors for that electoral district and this list was printed as if that village belonged to the electoral district of Grey-Bruce. In the circumstances, I have concluded that the intention was to include the village of Chatsworth in the electoral district of Grey-Bruce and have given a direction accordingly.

(2) *Jacques Cartier and Mount Royal.*—My attention has been drawn to the descriptions of these two electoral districts as given in the Representation Act of 1933 and, from the description of Jacques Cartier, it appears that the whole of the village of Côte St. Luc is included in that electoral district. I have been informed, however, that a small part of that village, lying between the village of Hampstead and Notre Dame de Grâce Ward, is completely isolated from the remainder of the municipality. This small part of the said village lies east of Dupuis avenue, south of MacDonald avenue and north of the southern boundary of the town of Hampstead and west of Aumont street. Strictly speak-

ing, according to the description of Jacques Cartier, this isolated part of the village of Côte St. Luc should be in that electoral district. I do not think, however, that it was the intention to include this small strip of territory in any other electoral district but Mount Royal and the description of that electoral district also indicates that it is so included, although it is not clearly stated. I think that the intention was to describe the electoral district of Mount Royal at that point as follows:—" Thence following the limit of Mount Royal Ward of the city of Montreal to the eastern limit of Côte St. Luc village, thence following the said limit of Côte St. Luc village, the easterly limits of lots 99, 75, 76, 77, 78, 79 and the northern limit of Côte St. Luc village to its intersection with Côte St. Luc road, thence following...." Thus described, the electoral district of Mount Royal will be exactly as shown on the blue-print map published by the Surveyor General, a copy of which is attached, and the electoral district of Jacques Cartier will be exactly as intended. A direction has been given accordingly.

I have the honour to be,
Sir,
Your obedient servant,

JULES CASTONGUAY,
Chief Electoral Officer.

REPORT OF THE CHIEF ELECTORAL OFFICER

Pursuant to Section 58 of the Dominion Elections Act.
February 3rd, 1936.

OFFICE OF THE CHIEF ELECTORAL OFFICER

OTTAWA, February 3rd, 1936.

Report of the Chief Electoral Officer Under Section 58 of the Dominion Elections Act.

To The Honourable the Speaker of the House of Commons,
Ottawa, Ontario.

Dominion Franchise Act

SIR,—1. As requested by Section 58 of The Dominion Elections Act, 1934, I have the honour to report that the general election held on the 14th October, 1935, has been conducted according to the procedure laid down in that Act. No irregularities of any consequence have been reported and election officers appear to have found their duties reasonably easy to perform with the assistance of the Election Instructions and the numerous forms with which they were furnished. This was the first election held with the lists of electors prepared under the provisions of the Dominion Franchise Act. Printed copies of these lists of electors were available to the returning officer of every electoral district before the writs of election were issued on the 15th of August last. While this enabled the returning officers to make advance preparations for the establishment of polling stations and the selection and appointment of the necessary election officers, it cannot be said as to other aspects that the new list making procedure proved to be an improvement upon the old.

Notification to voters by postcard

2. Another innovation at the last general election was the sending out of a notification postcard to each voter whose name appeared on the list of electors. A sufficient number of these cards was printed at the Government Printing Bureau and the required quantity was sent to the various returning officers before the writs of election were issued, thus enabling them to have them prepared for mailing long before the cards were required to be sent out. The work of filling in the numerous blank spaces on these cards, as well as the addressing of them to the electors and the stamping of the signature of the returning officer thereon was quite onerous. A rubber stamp facsimile of the signature of the returning officer was provided for each electoral district and used as a substitute for the signature of the returning officer on the notification postcards. An extra allowance, amounting to approximately $2 per polling station, for clerical assistance was made to each returning officer, and this allowance appeared to be satisfactory in most cases. The sending out of these notification postcards appeared to be appreciated by the electors, candidates and election workers and I am in favour of its continuance at future elections. The handling of these 6,000,000 postcards at about the same time was quite a task for the Post Office Department and its co-operation with the returning officers was such that no difficulty appears to have been encountered. A large number was returned to returning officers by the Post Office Department undelivered. The large number of undelivered notification postcards was particularly noticeable in electoral districts comprised in large cities such as Montreal and Toronto, where apparently very little interest was taken in the annual revision of the lists made by Franchise officers. In one of these districts, as many as 7,000 cards could not be delivered to the electors to whom they were addressed.

Closed lists in rural districts

3. In the interval between the issue of the writs and polling day, I was called upon daily to decide or to express an opinion upon numerous questions arising under the Act. Most of these questions referred to the lists of electors which were closed in all polling divisions. This fact appears to many electors difficult to understand, especially in rural polling divisions where the electors were accustomed to the use of an "open list" at all Dominion elections held since the year 1920. By an "open list" it is meant that any duly qualified elector in a rural polling division, even if his name did not appear on the list of electors, could vote on polling day by taking the prescribed oath and upon being vouched for on oath by an elector residing in the polling division whose name appeared on the list. This change in procedure apparently caused considerable misunderstanding and dissatisfaction among rural electors.

Absentee Voting

4. I was also called upon, on many occasions, to express an opinion with regard to absentee voting. This is the first time that there has been absentee voting at a Dominion election. The procedure appeared to be most complicated to election officers and political workers. The right to vote as an absentee voter is limited to four classes of persons, namely: fishermen, lumbermen, miners and sailors actually engaged or employed in any of these occupations on polling day at a distance of not less than twenty-five miles from their ordinary polling stations and in the same province. This limitation gave rise to a lot of dissatisfaction and misunderstanding in most electoral districts and the application of the absentee voting provisions complicated to a great extent the duties of the election officers, which were already intricate enough. Absentee voting was not resorted to to a great extent. There were only 5,334 absentee voters' ballots cast in the whole of Canada on polling day. Of this number, 1,533 ballots were

rejected, leaving only 3,801 valid ballots. Furthermore, the absentee voting procedure was the cause of a considerable increase in the cost of the holding of the General Election. In the first place, a large number of blank forms, ballots etc. had to be printed to supply each polling station with a certain number. This printing cost upwards of $16,000. In the second place, a list of the names, addresses and occupations of the candidates nominated in each province had to be furnished to each polling station. Except in the Province of Saskatchewan, where there is an interval of two weeks between nomination and polling days in every electoral district, this list could not be printed until after the close of nomination on the seventh day before polling day. For obvious reasons, the list was printed in four different places in the western provinces and it was printed in Ottawa only for the Provinces of Ontario, Quebec, Nova Scotia, New Brunswick and Prince Edward Island. The delivery of these lists of candidates necessitated the use of aeroplanes in several electoral districts and it also made it necessary to deliver the ballot boxes by messengers in most rural polling divisions at great cost. Otherwise, most of these boxes would have been sent by mail at parcel post rates. The cost of the application of the absentee voting provisions is not yet available, but it is estimated that it will be close to a quarter of a million dollars. In my opinion, therefore, the result of the last general election shows that absentee voting is a costly, ineffective and complicated procedure which should not be resorted to at any future Dominion election.

Report of Number of Votes for each Candidate by Polling Divisions

5. The statutory report giving by polling divisions the number of votes polled for each candidate, which, by virtue of Section 56 (6) of the Act, I am directed to prepare immediately after the general election, is in course of preparation, but as it will contain some seven hundred printed pages, it cannot be ready for distribution for some time yet. In the meantime, I have prepared and append hereto Part IV of that report printed in advance, which contains a summary of the result in each electoral district, and which may be found useful for the purpose of reference pending the publication of the complete report.

Form No. 20. Change of Residence

6. Having been informed that some misunderstanding existed as to the purpose, application and effect of Form 20 of the Act, I ruled on the Thursday preceding polling day that the said form No. 20, which is an oath, related only to the case of an error in the name, address and occupation of an elector. Considerable fear then existed that the form was capable of being used to exclude from voting persons who had moved from one electoral district to another before May 15th last. The rights of such persons are protected by section 38, subsection three, of the Act, which reads as follows:—

> "For the purposes of an election every elector shall be deemed to have resided, and to continue until the close of the poll to reside in the electoral district and in the polling division whereto the list of voters whereon his name appears appertains, and no actual change of residence between the time of preparing such list and polling day shall so operate as to deprive him of his right to vote in such electoral district and polling division or entitle him to vote in any other electoral district or polling division."

The form, however, was quite ambiguous to say the least. I therefore directed all election officers to apply it only in the case of errors in the names, etc., of electors and that, in administering the oath, of which the form consists,

to an elector, they strike out, in paragraph three of the said form, the words "in this electoral district of". These are the words that raised the ambiguity and caused the misunderstanding of which I was informed. The necessary amendment should be made in Form No. 20.

Distribution and Collection of Ballot Boxes

7. Owing to the season of the year in which the election was held, difficulties were experienced in the distribution and collection of ballot boxes. Although the use of aeroplanes greatly facilitated the delivery of ballot boxes in several electoral districts, in the following instances, the ballot box either did not reach its destination in time for a poll to be held or it was not received by the returning officer, after the poll was held, in time for him to include the votes cast thereat in the final addition of the votes, as the case may be:—

CHAPLEAU

(*a*) In the electoral district of Chapleau, Poll No. 57, Chibougamau, was not held. The returning officer had made arrangements in ample time before the election with the General Airways Limited for the transportation of the deputy returning officer, his poll clerk and the ballot box and supplies from Amos to this poll. Owing to weather conditions, the General Airways refused to make the trip and informed the returning officer to this effect at the last minute. As no other arrangements could be made the poll was not held.

Chibougamau

The Voters' List for Poll No. 57, Chibougamau, contains 129 names.

CHURCHILL

(*b*) In the electoral district of Churchill, the return for Poll No. 37, York Factory, was not received by the returning officer in time for the votes polled thereat to be included in the final addition of the votes. This poll, one of the farthermost in the district, is extremely difficult of access in cold weather. Ice prevented the landing of a plane to bring out the ballot box and the returning officer stated that there was no mail service from this section. The ballot box which was eventually brought out by dog team by a trapper was delivered to the returning officer on December 19th, i.e., more than a month after the last date on which the final addition of the votes was required to be made. As the List of Electors for this polling division contains only 37 names and only 19 persons went to the poll, the result of the electifon, in view of the decisive majority of the elected candidate, was not affected by the fact that the votes cast at York Factory were not included in the final addition of the votes.

SPRINGFIELD

(*c*) In the electoral district of Springfield, weather conditions and transportation facilities prevented the delivery of the ballot box to Poll No. 74, Loon Straits, and consequently no poll could be held. The nearest post office to Loon Straits is at Little Bull Head, a distance of 16 miles over open and rough water. The ballot box was delivered by mail to Little Bull Head together with registered letters of instructions to the deputy returning officer from the returning officer. As the deputy returning officer had acted in that capacity at previous elections, he anticipated that the ballot box would be delivered to him at Loon Straits as formerly, consequently, he did not call at Little Bull Head for it, nor the letter informing him of the delivery of the ballot box to that post office. The returning officer made inquiries through the District Director of Postal Services at Winnipeg as to why the ballot box had not been delivered by special messenger, in

compliance with the instructions on the ballot box to the postmaster, to be carried out in the event of the ballot box not being called for. The District Director of Postal Services replied that the postmaster at Little Bull Head was unable to comply with the said instructions since no boat was available to transport the box to Loon Straits.

Loon Straits

The Voters' List for Poll No. 74, Loon Straits, contains 29 names.

CARIBOO

(*d*) In the electoral district of Cariboo, the ballot box from Poll No. 415, Fort Nelson, was not received in time to include in the recapitulation of votes polled the number of votes cast at that poll at the final addition of the votes. Arrangements were made to have the box returned by aeroplane as there were no mails from that point at the time. The pilot of the plane chartered for this purpose wired the returning officer that he made three attempts to fly to Fort Nelson. On two occasions, he was driven back by snow and, on the third occasion, he was able to reach Fort Nelson, but could not land on account of the ice in the river. The returning officer adjourned the final addition of the votes as long as the provisions of the Act permitted but, on the last day of these adjournments, he proceeded with the final addition of the votes. The elected candidate's majority was a substantial one, so that the final result of the election was not affected by the fact that the votes cast at Fort Nelson were not counted.

Fort Nelson

The Voters' List for Poll No. 415, Fort Nelson, contains 46 names.

Departmental Co-operation

8. I should like, on behalf of several of the returning officers to make due acknowledgment of the sympathetic co-operation of all the Departments of the Government to which requests for co-operation were transmitted through me. The Department of National Defence placed its aeroplanes at the disposition of returning officers wherever it was possible to do so. The Department of Fisheries put fishing boats at the disposal of returning officers for the electoral districts of Comox-Alberni and Skeena for the purpose of delivering ballot boxes to coastal polling stations. The Department of Public Works arranged for office accommodation in public buildings for returning officers wherever such accommodation was available. The Department of Public Printing and Stationery provided a very efficient service for the printing of all the necessary printing and the Post Office Department rendered invaluable services in the handling of nearly 6,000,000 notification post cards mailed to electors and in the transmission of registered mail, of which there were some 8,000 bags and parcels of election forms and supplies, weighing about 200 tons, from the stock room of this office to the Ottawa Post Office and thence to the various election officers. Its action in all cases in which parcels were reported as having gone astray was most prompt and efficient.

Amendments Suggested

9. The following suggestions of amendments to the Dominion Elections Act are submitted in fulfilment of the duty imposed upon me by Section 58 of the said Act to suggest such amendments as are in my opinion desirable "for the more convenient administration of the law," and my suggestions do not extend beyond amendments strictly so described. I do not conceive that the intention of the provision in question was to require, or indeed to permit me to put forward

suggestions for the alteration in its essentials of the election machinery prescribed by the Act. Fundamental changes seem to be properly and exclusively matters for the consideration of Parliament, and my proposals are therefore restricted to such purely administrative amendments as might be adopted without infringing the general ideas upon which the statute is framed:—

(*a*) *Collection of Election Returns by the Returning Officers on the Evening of Polling Day.*—As the law now stands, there is no provision enabling the returning officers to ascertain the result of the poll in any polling station until the opening of the ballot boxes at the final addition of the votes. On election night, it is always a source of disappointment for the public and the press to be unable to secure the state of the poll from the returning officers. At past Dominion elections, the returning officers have been practically helpless in the matter since they had no authority to incur any expense to collect the results at the various polling stations in their electoral districts. These results have generally been collected by the political organizations at great duplication of costs. Whenever there are four candidates running in an electoral district and the contest is fairly close, it means that the political organization of each of these four candidates has to pay for telephone or telegraph messages from each polling station in the electoral district. It means also that the figures of the votes polled are compiled in four different places and invariably with different totals. At each general election there are always some electoral districts where, during a period of as long as two weeks, it has not been possible to ascertain the real result of the voting. I think that some amendment should be made in the Act directing the returning officers to collect the results of the polling stations on the evening of the election. In rural polling divisions and in each locality away from the place of residence of the returning officer, the deputy returning officers should be directed to advise their returning officers of the result of the voting at their respective polling stations. The returning officers should be directed to record these figures on a chart as they are received and keep the chart available for inspection by candidates or their agents and the press at all reasonable times until the final addition of the votes. In large cities and in places where the office of the returning officer is located, the deputy returning officers should be directed to prepare a special statement of the votes polled at their respective polling stations and to hand this statement to the returning officer on Election Night when the ballot box is brought to the returning officer's office.

(*b*) *Official Stamp.*—The rubber stamp used for the stamping of the ballots affords in itself very little, if any protection against forgery, and since the ballot paper is water-marked and the sheets in which it is distributed are all numbered and accounted for, the additional protection afforded by the stamping is entirely negligible. There is perhaps no other point in the procedure as now prescribed as to which there is so general a concensus of criticism on the part of returning officers. The labour of stamping the ballots is imposed upon them at a stage of the election when there are so many very much more urgent matters requiring attention, and any possible advantage to be derived from continuing to insist upon the ballots being stamped appears to be very far outweighed by the obvious disadvantages involved. Furthermore, since the stamping of the ballots must be done when they are bound in books, it is very difficult to make the necessary impression on the back of a ballot without leaving a blot of rubber stamp ink on the front of the following ballot. For these reasons, I think that the stamping of the ballots with an official rubber stamp should be dispensed with.

(*c*) *Payment for Services of Election Officers.*—Several complaints have been received from deputy returning officers, poll clerks, constables and landlords of polling stations with regard to the delay in the settlement of their accounts. All accounts relating to the holding of a Dominion election are taxed and paid by the Auditor General, pursuant to the provisions of Section 61 of the Act. I understand that these accounts are being paid in the order of their receipt, that is, first in, first paid. The settlement of these accounts requires the sending out of about 125,000 cheques. These cheques have been going out at the rate of about 1,200 to 1,500 per day, but even at that rate, it is not expected that the last of them will be sent out much before the first of March next. A situation of this kind should not exist. Election officers should be paid a short time after polling day. It should be directed in the statute that a system for the payment of election officers be adopted whereby accounts would be paid within a reasonable time after the election.

(*d*) *Advance Polls.*—I have had some difficulty trying to convey to certain election officers and others the meaning of subsection 1 of section 94 of the Dominion Elections Act. The impression seems to exist that, once an advance poll is authorized for one of the places mentioned in Schedule Two of the Act, any elector residing elsewhere in the electoral district in which that place is situated, who is entitled to vote at an advance poll under section 95 of the Act, may vote thereat. This erroneous impression is no doubt due to some of the provincial laws which prescribe that once an advance poll is established in any part of the electoral district any elector, residing elsewhere in that district, may vote thereat. The provisions of the statute are clear to me, but I think that it is advisable that they should be redrawn in order to avoid any misunderstanding at future elections. Section 95 of the Act, which deals with the privilege of voting at an advance poll, should also be amended by the insertion of a clearer definition of the classes of persons entitled to vote at an advance poll, particularly of " commercial travellers."

(*e*) *Oath of Qualification.*—Section 37 of the Act states that every person employed for pay or reward in reference to an election in an electoral district shall be incompetent to vote in such electoral district. Form No. 19 of Schedule One of the Act obliges a voter, if required to do so, to take an oath that he has not been employed for pay or reward " in reference to this now proceeding election in any electoral district." Section 37 of the Act, as I read it, does not disqualify a voter from voting in one electoral district if he or she has not worked for pay or reward in reference to the election in that electoral district even if he or she has worked for pay or reward in reference to the election in another electoral district. Obviously, the form of oath goes too far and, if put to a voter, he would be deprived of his vote for a reason not stated in the Act. Form No. 19 should therefore be amended to conform with the provisions of the Act.

Chief Electoral Officer.

HOUSE OF COMMONS, Room 429,

March 6, 1936.

Special committee appointed to study the Dominion Elections Act 1934, and the amendments thereto and the Dominion Franchise Act 1934, and amendments thereto, met at 11 a.m. with Mr. Bothwell, the chairman, presiding.

The CHAIRMAN: Gentlemen, we have a quorum. Under the rules of the house we have to have a majority of the committee, and it might be well to have a motion that, say, twelve would constitute a quorum. Unless we put through a motion to that effect we shall have to have a majority of the committee.

I presume, gentlemen, most of you have received the report of yesterday's meeting, and we intend this morning to continue with whatever information Mr. Butcher can give us as the result of his study of the matters that are referred to this committee for consideration and study. Is it the wish of the committee to hear Mr. Butcher now?

Mr. HARRY BUTCHER called.

By the Chairman:

Q. Will you proceed, Mr. Butcher?—A. Mr. Chairman and gentlemen, when addressing you yesterday I told you that I had received from a gentleman in Winnipeg certain suggestions with regard to a voting system for Canada, and I mentioned that he had suggested that every elector should have two votes.

By Mr. Heaps:

Q. What is his name?—A. Mr. Grassby. He is the managing director of the Winnipeg Piano Company. This gentleman suggested that every elector should have two votes, one for the party and one for the candidate. I said I would bring up the memorandum setting forth his system, and I have this memorandum here. If the committee would like to hear what this gentleman has to say, I can state it from this memorandum. It is as follows:—

Each vote should be double—one for the party and one for the candidate preferred.

The respective party vote totals per province will decide the Dominion parties.

Every province thus retains its local sentiment as previously.

For example, take 200,000 votes polled in a province—for twenty seats—quota 10,000 votes.

Votes cast—Liberal 70,000, Conservative 67,000, third party 63,000.

Liberal representation 7 candidates, Conservatives 6·7, third party 6·3—in that province.

Fractions will be adjusted. Provinces with the largest fractions shall have the preference for the unawarded seats except that any province with a half fraction or more and its awarded seats being the furthest below the average number of seats awarded in all provinces shall have prior claim.

The candidates selected for the parties elected in each province will be those with the largest percentage of the total votes in their respective constituencies. The voter can select any party and any candidate in his constituency.

Any candidate securing almost as many votes as his competitor will be less penalized by this system; so will his party.

No party vote is prejudiced by choice of candidate and vice versa.

It encourages the selection of the best calibre of candidate for Government and Opposition.

This plan assures less danger of a small working majority than with the old system.

It is also free from complications and delay.

Q. I think the last election shows that the present system gives a good working majority?—A. I may say that this is, after all, but a variation of one of the 300 systems or more than 300 systems of proportional representation. The D'Hohndt system, I think, is the custom in Belgium; and I am not sure, but I think it is in one or two other countries.

By Mr. MacNicol:

Q. There is the "list" system?—A. Then there is the "list" system. The D'Hohndt system is a "list" system, but I understand that the idea in the D'Hohndt system is that the candidates for any particular party are in one vertical row, and at the head there is a place to vote for the party, and below that if the elector wishes to do so he may vote for any one of the candidates of that particular party.

Q. That is the Belgium system. I was going to say, Mr. Chairman, that it seems to me too bad to clutter up the record by having this printed. There is nothing in it; it is only the regular "list" system in use in Belgium and one of the many kinds of proportional representation.

The CHAIRMAN: We considered that, and we thought it might be advisable to give the committee the benefit of this suggestion which is one of the types of proportional representation.

Mr. HEAPS: I have had a good many letters in the last few days written along the same lines.

The CHAIRMAN: This is not very long, and Mr. Butcher has condensed his remarks more or less.

WITNESS: Gentlemen, when I was instructed by the Government to make an exhaustive search of electoral law, not only in Canada but in other countries, I concluded it would be my duty to make a search of all means of reducing the cost of elections first to the country and then to the candidate, and that one should also endeavour to discover some way of simplifying our election proceedings without weakening our electoral laws and thus opening the doors to new malpractices. I also thought that it would be a part of my duty to try to discover a more equitable system of representation than we have at the present time, but a system that has no demerits that would outweigh its merits. With those objects in mind, I have made a study, first of all, of the election laws of the provinces in all the provinces of Canada, then of the electoral laws of Great Britain, including the Representation of the People Act, the Ballot Act, and the acts relating to illegal and corrupt practices. I have also studied the electoral laws of the Commonwealth of Australia, of New Zealand and of the Union of South Africa. I have been very much impressed with the uniformity of the basic principles of the electoral laws of all those countries. There are certain variations, variations which no doubt will be regarded by many men as very important, but rarely do they affect the principles upon which the elections laws are based. I might say also that all of them seem to have their origin in the British Electoral Law.

Going back, as their Ballot Act does in that country, to the year 1872, in reading that Ballot Act I was very much impressed with the fact that throughout the provinces of Canada and throughout other Dominions of the Empire the principles contained in that Act have been maintained. I made a note, however, of some of the distinguishing features of the electoral laws to which I have referred. First of all, we shall begin with the Canadian provinces, having regard to the

preparation of lists. In New Brunswick lists are prepared by municipal officials, and, in parishes, revised by two councillors and by a third person appointed by the Lieutenant Governor in Council. In cities and towns lists are prepared by municipal officials and revised by two persons appointed by the city council and one by the Lieutenant Governor in Council. *(See Appendix "A" to this day's evidence.)*

In Quebec lists are prepared by municipal officials, except in Montreal, where a special officer is appointed for the purpose, and in Quebec where the city clerk supervises the preparation of the lists. It will be noticed that the procedure in New Brunswick and in Quebec is somewhat similar to that employed under the Representation of the People Act in Great Britain.

In Ontario there is a special feature. A mariner may vote by proxy, by his wife, parent, brother, sister or child who is an elector.

The CHAIRMAN: They do not vote by proxy?

WITNESS: They vote by proxy. In Manitoba, Alberta and British Columbia, any qualified voter who expects to be absent from his polling division on polling day may apply for a certificate entitling him to vote at an advance poll. In the other provinces this privilege is confined to certain classes of people such as railway employees, commercial travellers and fishermen. In Manitoba it is an offence for a voter in cities to permit himself to be conveyed to the poll by others. There are exceptions, however, in the case of persons of the same household or sick or crippled persons. The Elections Act of all the provinces except Manitoba, and The Dominion Elections Act, Section 64, which reads: "Every executory contract, promise or undertaking in any way referring to, arising out of or depending upon any election under this Act, *even* for the payment of lawful expenses or the doing of some lawful act, shall be void in law." Section 148 of the Manitoba Elections Act reads: "Every executory contract, promise or undertaking in any way referring to, arising out of or depending upon any election under this Act, *except* for the payment of lawful expenses or the doing of some lawful act, shall be void in law." It not only means "except," but in every case, even for the payment of lawful expenses. In Manitoba the expenses of a political party at a general election are limited to $15,000.

In Saskatchewan, prior to an election, the enumerators who compile the lists themselves act as revisers and complete the lists two days before polling day.

In British Columbia there is continuous registration of electors with monthly revision. No candidates deposit is required in British Columbia, neither is one required in Ontario. The candidate may act as his own agent in British Columbia, as he may in England. In British Columbia returning officers pay all election officials. It is legitimate to convey voters to and from the poll within the electoral district only. I shall be referring to certain features of the Australian Act a little later, but I might say at this stage that there is postal voting under strict regulation for persons who will not be within ten miles of a polling booth, or who will be travelling, who are ill or infirm. Postal voting is provided for. Election expenses are limited for candidates for the Senate to £250, and for candidates for the House of Representatives to £100. The preferential system of voting is employed and voters must mark their preference up to the number of candidates to be elected, otherwise the ballot is void.

In New Zealand—I shall speak later on of registration and boundaries—there is compulsory registration of voters. Absent voters may vote in a general election anywhere within or outside of their electoral districts, under strict regulations, and in a by-election in prescribed manner at any post office. There is a postal vote for certain classes under strict regulations.

In the Union of South Africa, as in Australia and New Zealand, Justices of the Peace, police officers and constables are required to assist registering officers in compilation of their lists, if they are so requested. In South Africa candidates' lawful expenses include payment for gasolene used by or on behalf of a candidate in carrying electors to the poll. An election agent in South Africa may appoint four sub-agents with similar duties to his own. In Australia and in South Africa very full returns must be supplied by newspapers, who publish any political articles, giving names of contributors of political articles during an election, together with amount paid for publication.

Coming back to the Canadian provinces I notice that in New Brunswick and in Prince Edward Island no person in holy orders, clergyman, priest, ecclesiastic may be a candidate for election.

Mr. MacNicol: Read that clause again, please.

Witness: In Prince Edward Island and New Brunswick no person in holy orders, clergyman or priest or ecclesiastic may be a candidate for election. In Ontario persons disqualified to vote include not only judges but clerks of the peace, Crown attorneys and police magistrates. In Ontario nomination papers must be signed by at least one hundred duly qualified electors; but it is noticed that no deposit is required. The vouching system is employed in the province of Ontario in a township or village and in a town not having more than 3,500 of a population and within five miles of a city having a population of 100,000 or over. In Manitoba and Alberta there is proportional representation in the cities—in Manitoba in the city of Winnipeg only. In Alberta in the cities of Calgary and Edmonton, and the alternative vote in single-member constituencies. In Manitoba it is an offence to solicit donations, subscriptions, etc., from a candidate during election. It is a corrupt practice for any profit making corporation or concern to make contributions for political purposes; nor may any person solicit such contribution.

Mr. MacNicol: May I interrupt for a second. You did not state the difference in Alberta and Manitoba as to how many choices the electors are to exercise.

Mr. Heaps: There is no limit.

Witness: I did not get that.

Mr. MacNicol: I was thinking of the Act proposed last summer; it was different.

Witness: Yes; I did not notice any difference.

Mr. Heaps: Are you referring to Manitoba?

Mr. MacNicol: Yes, and Alberta, in regard to the limited number of votes the elector has.

Witness: No; I did not notice there was any.

Mr. Heaps: For instance, in the provincial election in the city of Winnipeg there are often as many as forty or forty-five candidates running.

Witness: Yes.

Mr. Heaps: In that case the voter can mark his ballot for 45.

Mr. MacNicol: He has to vote for all?

Mr. Heaps: If he wishes to.

Mr. MacNicol: He has to mark his ballot for the forty-five?

Witness: No; he can plump in Alberta and Manitoba. In Manitoba the expenses of a political party at a general election are limited to $15,000. The ways in which the money can be expended are limited. Statements and vouchers must be filed with the Clerk of the Executive Council. In Alberta the poll may be held in a hospital where not less than twenty patients able to vote are staying; but not in hospitals for mentals or mentally defectives.

In British Columbia, it is a legitimate expense to transport voters to and from polling places within the electoral district. With regard to registration of voters, I have studied the English system, and perhaps, sir, it would be advisable, to leave the details of the system until the matter of registration is before the committee; but I might say very briefly that they have a system under which municipal officials compile the lists, and the same lists are used for local government elections as for parliamentary elections.

By Mr. Heaps:

Q. In the case of England, it is also a fact that the same municipal officials act as officials for the parliamentary elections?—A. In studying the revision of the Act, I did not discover that.

Q. I think that is correct.

By the Chairman:

Q. I think it might be well as this stage to explain the situation in Britain? —A. Yes.

Q. And compare it with Canada?—A. Yes. I shall explain that. In Great Britain it is within the competence of the parliament of Great Britain to make any kind of law with regard to local governments; that is, there is no intervening government as there is in Canada, no other government with rights that the British parliament has not. For instance, in Canada we have the Dominion with its powers enumerated in the British North America Act, with certain residuary powers. Then, we have the provinces, and each province has rights with which the Dominion cannot interfere. Then, we have municipalities which derive their right to their limited form of government from the provinces. And, of course, the Dominion has no right to say to the municipalities—at least, that is my understanding of the matter—"You will prepare a basic list for use in the Dominion." The Dominion has no right to say to the municipalities, "We will prepare one list which will be used for Dominion elections, for provincial elections and for municipal elections." We have the intervening authority of the provincial legislature and the Dominion, of course, is restricted in its right to legislate for the provinces and for the municipalities in these matters.

By Mr. Heaps:

Q. In Great Britain the lists for civic elections are not the same as those used in the election of a national government?—A. I don't know. I have only the two. I have only studied the local government bodies; that is the county councils.

Q. The city councils?—A. The county councils, and the parliamentary government. They use precisely the same lists, but they have means of distinguishing between those who have the right to vote only for the local government elections and those who have the right to vote for the parliamentary elections, and those who have a right to vote for both.

By the Chairman:

Q. How do they discriminate?—A. It does not say, but there is some kind of a mark. It says, "There shall be a distinguishing mark." I do not know exactly what it is.

By Mr. MacNicol:

Q. In a parliamentary election there is universal manhood suffrage?—A. There is a very, very fine limitation, I believe. There is some very, very minor qualification for parliamentary elections.

By Mr. Heaps:

Q. There is not quite full suffrage in Great Britain?—A. No, I do not think it is. There is a small qualification in the way of earning capacity. That is my understanding of the matter. There is a very small qualification; but it amounts to universal suffrage, practically.

By the Chairman:

Q. Do you mean you have a list of all the names filed and then a distinguishing mark—.—A. Yes.

Q. And that mark indicates who will vote in municipal elections and who will vote in parliamentary elections?—A. Yes, and who may vote in both. That is the idea. The clerks of the town and county councils are registration officials, with power to appeal to county courts. The local authority pays the bill for compiling lists, and the state refunds one-half.

In Canada, New Brunswick and Quebec have already been referred to, the system is rather like that which obtains in Great Britain.

Mr. McLEAN: For provincial elections.

WITNESS: For provincial elections. In British Columbia there is now a continuous registration with a monthly revision, not compulsory.

By Hon. Mr. Stevens:

Q. You say "monthly." It used to be every six months.—A. It is now a monthly revision. In other provinces in Canada we have other lists.

By the Chairman:

Q. Is that monthly revision made by the municipal authorities?—A. No, by the registrar.

Q. By the government?—A. Yes.

By Hon. Mr. Stevens:

Q. I think the registrar is a permanent official. He carries on a continuous revision?—A. That is the point.

Q. Every six months it is possible for persons outside like representatives of parties to submit to the registrar objections and so forth, deaths and all that sort of thing, but he is supposed to carry on a revision continuously.

WITNESS: That is the idea. There are all sorts of officials throughout the division who assist; and I say this pointing out that there are provisions for the preparation of other classes of lists, or enumerations, immediately prior to registration.

The CHAIRMAN: You mean, immediately prior to election.

WITNESS: Yes, prior to an election.

In Australia registration is compulsory under the Commonwealth Electoral Act. Any person qualified for enrolment, who has lived in a subdivision for one month, must send in his claim for registration in the prescribed form and every person who changes his place of living from one address to another in in the same subdivision must within twenty-one days notify the registrar of the change. The penalty for breach of any of the foregoing requirements, first offence 10/-, second offence £2. Registration is also compulsory in Tasmania and in New Zealand.

In New Zealand the Electoral Act requires that every elector shall forthwith, after becoming qualified, make application for registration in the prescribed form to the registrar of the district. It is an offence to fail to register within one month of qualification. The penalty for non-registration being a fine of 5/- for the first offence and 20/- for subsequent offences. Failure to notify registrar of change of address within the district within two months is also an offence with penalties similar to the foregoing. If an elector is temporarily absent from his district for less than three months, he must notify the registrar before the expiration of three months. Application may be made either in person or by mail. All members of police forces, postmasters, clerks of courts

and registrars of pensions are enjoined to assist the registrar with information, and all members of police forces are enjoined to make enquiries, collect information and otherwise, as the registrar requests.

Mr. MACNICOL: Do they notify the registrar of deaths?

WITNESS: Yes, they do.

Mr. MACNICOL: They are supposed to notify the registrar in case of death?

WITNESS: Yes; registrars of vital statistics have to advise the registrar of deaths, also of marriages of women over twenty-one so that when their names are changed they will not lose their place on the lists, although that does not affect the capacity of a young woman who marries.

The CHAIRMAN: Supposing that information is not given, what happens at an election?

WITNESS: She does not lose her vote.

Mr. HEAPS: Are you going to submit to the committee information as to the effect of compulsory voting in Australia?

WITNESS: Well, I will deal with that when we come to compulsory voting.

Mr. HEAPS: I see.

WITNESS: It might be within the knowledge of some of the members of this committee at any rate that I think in 1929 or 1930—I am not quite sure which—I believe a bill was prepared which would provide for registration through post offices; is that not true?

The CHAIRMAN: The suggestion was made, I believe.

WITNESS: Yes, the suggestion was made. I did not come across the bill which apparently never got before the House; it may have got before the committee. The bill provided that there should be registration in cities through postal officials. I have made a precis of that bill, but I do not know whether it would interest the committee or not.

The CHAIRMAN: Is it the wish of the committee that we have information in connection with that? That was before the committee in 1929. All right, we will pass that up.

Hon. Mr. STEVENS: That could be brought up when we come to the specific study of registration.

WITNESS: Now, in Australia and in Tasmania voting is compulsory. Under the Act, it shall be the duty of every elector to record his vote at each election. After the election the duty of the divisional returning officer is to prepare a list of non-voters. You will see that he has already his list of voters—I mean, of all electors. Having prepared this list, he sends a notice calling on defaulting electors to give a valid and truthful and sufficient reason why they failed to vote. The defaulting elector must reply within twenty-one days. If he should be absent from home or physically incapable of replying, any other elector with personal knowledge of the facts may answer for him. The divisional returning officer decided if the reason given is sufficient and later it is the duty of the divisional returning officer to send a list of defaulting electors to the Commonwealth electoral officer, who alone, by himself or by an authorized representative, may commence proceedings against the defaulter. The penalty for failure to vote is £2. It should be noted, however, that the elector is permitted to vote wherever he may be within the state. I cannot say that this is incorrect; I believe it is within the Commonwealth.

Mr. JEAN: Have you got any figures showing the number of non-voters?

Mr. MACNICOL: It is practically negligible.

WITNESS: I have not. I am going to refer to a statement made in the Senate—I presume it is permissible to refer to that body here—the statement was made in 1933 when it was stated by Senator McRae or Senator Foster that the percentage was about 59 per cent prior to the introduction of compulsory voting, and that it had increased to well over 90 per cent.

Mr. MACNICOL: I thought Mr. Jean asked for the percentage of voters.

WITNESS: I don't know that. There was also the system of voting by post under very strict regulations for persons who will not be within ten miles of a polling booth during election day, or who are ill or infirm. I have already mentioned that voting is also compulsory in Tasmania under conditions similar to those that obtain in Australia.

Mr. HEAPS: I am not quite sure as to how the voters' lists are compiled in Australia.

WITNESS: They are compiled by the registrar. He has the right to compile them from any available source; by personal enquiry, through officials such as I have indicated; with any assistance he may need.

Mr. HEAPS: Does he do it by enumeration, or how?

WITNESS: It does not need to be by enumeration; that is one of the methods, that may be done—house to house canvassing. I presume it is compiled in much the same way as lists are usually made up.

Mr. HEAPS: But there is compulsory registration?

WITNESS: Of course there is compulsory registration, that is one of the basic provisions contained in the terms of the act.

Mr. HEAPS: How are they revised?

WITNESS: There is no specific method of revision. They are revised, as we have already mentioned by information received from the registrar of vital statistics; and then attention is drawn to those who have voted; and then I suppose if there have been removals they would be notified.

Mr. HEAPS: In other words, there is a continuous or permanent list.

WITNESS: A permanent list, absolutely.

Hon. Mr. STIRLING: Is this done by the state or by the Commonwealth; I thought it was by the state, locally.

WITNESS: It is done by the local authority.

In the last reference to the committee I believe your committee is instructed to consider methods of effecting redistribution. I have not had time yet since that reference was made to carry out any extensive study of the matter.

The CHAIRMAN: I think we should continue with what we are on and leave redistribution until we have gone through all the information available on the other subjects of our reference.

WITNESS: I think there is only one other subject. We have referred to registration, to compulsory registration and to compulsory voting. Now the other subjects, the other special subjects, are proportional representation and the alternative vote. In connection with these matters I am going to ask the committee to excuse me from expressing any personal opinions at this stage. I am going to give you the results of my investigations and inquiries. At a later stage if I am invited to do so by the committee I shall be glad to give my personal views as a result of my studies and inquiries into these matters. Meanwhile I think perhaps, for the convenience of members of the committee, I might present certain extracts which I have made from various authors on the subject of proportional representation and the alternative vote; if it is the wish of the committee I will read what I have.

The CHAIRMAN: You also have summaries which you have made of the practices in the various provinces.

WITNESS: Yes, I have quite a lot of it.

Mr. HEAPS: You say you have extracts from authors there?

WITNESS: Yes. I will just briefly outline what I have. First of all I have just a very brief early history of proportional representation, together with a definition of proportional representation by Sir John Fischer Williams.

The CHAIRMAN: Just a moment, gentlemen; if you are just going to scan through these papers, I rather think they will be most informative to the committee and if there is any part which you do not wish to take the time to read just now I believe it should all go on the record. I think that would be the wish of the committee, that we should have it appear in full on the record.

Some HON. MEMBERS: Yes.

The CHAIRMAN: All right, that will be done. As you are going through you will read certain portions, but I think the results of your studies should go into the proceedings so that we will have the benefit of them.

WITNESS: I may say that I have been reading books by authors who developed the system of proportional representation, notably in Great Britain.

EARLY HISTORY OF PROPORTIONAL REPRESENTATION

To Thomas Wright Hill, of Birmingham, England (father of Sir Rowland Hill) belongs the distinction of being the inventor of the system known as Proportional Representation with the single transferable vote, certainly before 1821, for Rowland Hill in that year speaks of his own election on a committee of the Society for Literary and Scientific Improvement by means of his father's invention.

The first application of the principle to public elections was made in Adelaide, South Australia, in 1839. South Australia was then a colony of a few hundred inhabitants. It was applied at the suggestion of Rowland Hill.

The first public proportional representation elections carried out by ballot were held in Denmark in 1856, the method used being the single transferable vote devised by M. Andre, the Minister of Finance in that country.

Then in 1857 Thomas Hare, an Englishman, developed the system and published a plan for electing members at large throughout the country.

For forty years there was but little development in the movement, but then the " list " system was adopted on the continent.

In 1884 the British Proportional Representation Society was founded, Leonard Courteny (afterwards Lord Courteny of Penwith), Sir John Lubbock (afterwards Lord Avbury) and Albert Grey (afterwards Earl Grey) became ardent advocates of the system and conducted an active educational campaign throughout the country. The most active workers in the cause in more recent times have been Sir John Fischer Williams and Mr. John Humphreys.

Sir John Fischer Williams was for many years secretary of the Proportional Representation Society and he is now the Honourary Treasurer, and Mr. John Humphreys, the present secretary of the society, are, I believe, regarded in Great Britain as the greatest authorities on the subject.

Sir John Fischer Williams' definition of proportional representation is in part as follows:—

"Proportional representation is the name given to all those electoral methods which aim at reproducing in the elected party the opinions of the electorate in their true proportions.....all such electoral methods have this in common, that they reject the attempt to represent by one individual the electors resident in one geographical area.....and require constituencies returning several members. The members thus elected represent the sections of electors whose votes have caused their election."

I have also been reading a book written by Messrs. Hoag and Hallett, who are regarded I believe as the principal supporters of proportional representation in the United States—I don't know just where.

Mr. MacNicol: They are in Philadelphia.

Witness: Yes, that is their home. They are regarded as outstanding authorities there.

Mr. Heaps: These authorities are really representatives of the same organization as that which operates in the Old Country, as I understand it.

Witness: Yes.

Mr. Heaps: Did you make any investigation of proportional representation and the alternative vote in this country?

Witness: I did; but if I may, perhaps I should first run over the headings of this particular thing which I have here, and then perhaps we will be able to understand more or less to what it refers.

The Chairman: I think possibly, Mr. Butcher, as we are going to have all that printed it might be well for you to read extracts here and there through it so that the committee will know just what kind of material is going on to the record.

Witness: Very well, Mr. Chairman.

Alternative Vote: Messrs. Hoag and Hallett:—

"The alternative vote has been devised to make it certain that in single-member constituencies no candidate can secure election unless he has behind him the support, if not of the majority of voters in a constituency, at least of a greater number than under the present system elects a member where there are more than two candidates."

Sir J. Fischer Williams in his "Reform of Political Representation" (1918) says, as follows:—

"The different systems of proportional representation need not here be discussed and analyzed. There are said to be some three hundred systems in existence, and the ingenuity of the inventors shows no sign of exhaustion."

There are two systems, however, which have met with the greatest acceptance: One is known as the "list" system, and is in use on the continent (with many different methods of computation.) The other is the Hare system, which is used generally throughout the British Empire.

It may be interesting to here note that Messrs. W. L. Eddy and S. M. Spidell of Central Butte, Sask., have recently invented a system which they have called the "point" system. It bears a very strong resemblance to the Finnish system and is rather more simple than some of those adopted by European countries.

The CHAIRMAN: What do you mean by that "point" system; it does not mean anything to me?

WITNESS: If you want an explanation of it I have an explanation here; would you like to go into that right now?

The CHAIRMAN: I think so. Reference to the "point" system does not mean anything unless we know what it is.

Hon. Mr. STEVENS: I happen to have a number of copies of the definition of it. These might be distributed to the committee. I simply have them as a matter of interest.

WITNESS: May I look at it?

Hon. Mr. STEVENS: Yes. You can have them distributed.

The CHAIRMAN: If this is an illustration of the "point" system, possibly we could have that included in the proceedings of to-day.

Hon. Mr. STEVENS: I think it is worth considering.

WITNESS: Yes.

Mr. MACNICOL: This is hardly the time, Mr. Chairman. There are a lot of other systems.

The CHAIRMAN: No. Mr. Butcher has just referred to this and it is just so we will have this before us.

Mr. MACNICOL: Would it not be better to withdraw that reference to the "point" system, and have Mr. Butcher confine his remarks to proportional representation and the alternative vote? There are a lot of well-known systems.

The CHAIRMAN: All right. I think that possibly might be better.

In your notes, Mr. Butcher, you have referred to this "point" system. You are making just a general reference, because I expect the reporter is going to copy what you have there.

I think, Mr. MacNicol, we can leave the reference that Mr. Butcher has made to this just as a passing comment in the proceedings.

Mr. MACNICOL: Well, all right.

The CHAIRMAN: Then we will deal with this later.

Mr. MACNICOL: There are a lot of systems.

The CHAIRMAN: I think that is right.

Hon. Mr. STEVENS: There is no objection to putting this in on proportional representation and the other reference. There cannot be any objection to that.

Mr. MACNICOL: There may be.

The CHAIRMAN: Mr. MacNicol is asking that we have all this come in together in the report of the proceedings at a later date so that we will have these different schemes together, instead of inserting this now. We will just have a passing reference right now to this point system, and then deal with it at a later date, if that is agreeable. All right, Mr. Butcher.

WITNESS: I have also synopsized, if that is the proper word, a number of reasons urged by the advocates of proportional representation for the adoption of that system. There were referring to the rather baneful effects—according to the authors—of the single member constituency. I have mentioned a list of countries that employ the Hare system of proportional representation. That is a system with the single transferable vote.

The CHAIRMAN: Would it not be well to explain these different systems so that we will know what they are?

Mr. MACNICOL: The Hare system applies to all the many varieties of proportional representation.

The CHAIRMAN: I think Mr. Butcher can give us the definition of the different systems of proportional representation, which will include the Hare system. We shall then all know something of these different systems.

WITNESS: There are over three hundred systems, but there are two, I suppose, that are better known than any others. One is called the list system, which is employed in European countries, with various methods of computation. The other is the Hare system; that is proportional representation with the single transferable vote. I believe that is different. In the lists system the electors vote for a list. For instance, the Socialist party has a series of candidates who have been nominated by that party. They vote for the Democratic party, for the Liberal party or for the Conservative party. Each party puts up its list of candidates, but they vote for the party, not for the individual.

By Mr. Heaps:

Q. And the candidates are elected according to the position they occupy in the party's ballot?—A. Yes. That is a matter of party organization.

By Mr. MacNicol:

Q. They may also cross over from one list to another in Belgium?—A. In Belgium, under the D'Hohndt system.

Q. In Belgium if you want to vote the entire list, you mark in a little white dot at the top?—A. Yes.

Q. And if you do not want to vote the entire list, you select two or three candidates in the Socialist list and one or two in the Liberal list and so on and then mark the list as you wish to vote.

The CHAIRMAN: You mean that you can vote at the top for the whole list?

Mr. MACNICOL: Yes.

The CHAIRMAN: For one party?

Mr. MACNICOL: Yes.

The CHAIRMAN: Or you can select your own?

Mr. MACNICOL: Exactly.

The CHAIRMAN: You can select your own candidates all the way through?

Mr. MACNICOL: You can have a party vote where you vote for the party.

The CHAIRMAN: You vote for the whole slate.

Mr. MACNICOL: Yes.

WITNESS: I have also prepared a list of the countries in Europe that are at present using the list system of proportional representation, and a number of examples of the inequalities that have resulted under our present electoral system in Canada and elsewhere. These examples have been taken from books on proportional representation.

Mr. MACNICOL: May I interject again, Mr. Chairman. It seems to me that the committee may be mislead as to the real value of these systems, unless in the list where Mr. Butcher gives the names of the countries which have proportional representation, he would also list the countries that have tried it and abolished it, of which there are quite a number.

WITNESS: That will come later. I have that memorandum here later.

By the Chairman:

Q. Is that in answer to Mr. MacNicol's question?—A. Yes.

Q. Is that in the memorandum that will be printed?—A. Yes, it is here.

Q. All right, proceed.—A. Then I have some examples of the elections held under proportional representation in Poland, Netherlands, Denmark, Finland, Norway and Estonia. Then I have a resume of the provincial elections of 1935 in Alberta, having proportional representation in cities, and the alternative vote in single member constituencies.

By Mr. Heaps:

Q. In which cities did they have the P.R. system?—A. Edmonton and Calgary.

Q. How many candidates were elected in each place?—A. The full account will be here as to how many candidates in each place.

By the Chairman:

Q. Will you give us those figures for the information of the committee?—A. There were six candidates elected in Calgary, the quota being 5,885.

By Mr. Heaps:

Q. How many ran for office?—A. I don't know how many ran. I have not got that. I have only those that were elected.

Mr. MacNicol: I have that upstairs.

Witness: I have not got that.

Mr. MacNicol: I might add there that you refer to giving the result of the 1935 election. I might suggest, Mr. Chairman, that the results in previous elections under the same system be added.

Witness: I have not that information.

Mr. MacNicol: I can get it.

Witness: Do you want all this detail?

The Chairman: Yes, I think so.

Witness: In Calgary the Social Credit candidates secured four seats, with 24,079 votes; the Liberals secured one seat with 8,000 votes; the Conservatives secured one seat with 5,956 votes; Labour polled 1,645 votes and elected no member; other parties polled 1,513 votes and did elect get a member.

In Edmonton the quota was 5,325. The Liberals polled 14,033 votes and secured three seats; Social Credit polled 13,661 votes and secured two seats; the Conservatives polled 4,820 votes and secured one seat; The United Farmers of Alberta polled 2,092 votes and secured no seats; other parties polled 1,289 votes and secured no seats. In single member constituencies Social Credit candidates polled 123,869 votes and secured 50 seats; the Liberal candidates polled 47,050 votes and secured one seat; the United Farmers of Alberta candidates polled 30,603 votes and secured no seats; the Conservative candidates polled 8,642 votes and secured no seats.

By Mr. MacNicol:

Q. You are now talking of the alternative vote?—A. Yes, in the single member constituencies.

The Chairman: And proportional representation in the cities of Calgary and Edmonton.

Witness: The Labour candidates polled 2,074 votes and secured no seats; other candidates polled 7,804 votes and secured no seats.

By Mr. Heaps:

Q. I suppose you have given some consideration to the question of the complete difference between P.R. and the alternative vote?—A. Yes.

Q. That is, one tends to wipe out minorities and the other tends to give the minorities representation?—A. That, of course, is the intention.

Q. I mean, the alternative vote system wipes out minorities?—A. With the alternative vote, yes, minorities secure no representation; that is, there is always a minority, and rather a substantial minority, that secures no representation.

Q. In Alberta you show 40,000 Liberal votes and no seat?—A. One seat.

Q. One in 40,000?—A. 47,000 odd.

Q. What about Social Credit?—A. 50 seats for 123,000 odd.

Mr. HEAPS: There is an illustration. Of course I have given thought to that question myself, and to me it seems to put our trouble back. P.R. is introduced for the purpose of giving minorities representation and the alternative vote wipes them out. I do not see how you can have the two at the same time and give a fair representation to any population.

The CHAIRMAN: A proper question, Mr. Heaps, might be: How are you going to have proportional representation in a rural constituency?

Mr. HEAPS: Well, we attempt it.

Mr. MACNICOL: You have to take a lot of candidates together. It would be impossible in this country. For instance, out in Saskatchewan just picture taking five rural ridings from cities as they suggest—or in Alberta—and put them into one seat. It would make an impossible situation in Alberta or Saskatchewan either.

The CHAIRMAN: You would never see anybody.

Mr. MACNICOL: No.

Mr. HEAPS: In these days of radios and aeroplanes, there is no telling what may happen.

The CHAIRMAN: I was up in an aeroplane once, and I am not very anxious to go up again. Proceed, Mr. Butcher.

WITNESS: Then I have a number of quotations from Messrs. Hoag and Hallett's books, showing the time taken in the count under proportional representation. I thought that might be interesting to members.

Mr. MACNICOL: It would be very interesting if it included what happened in Christchurch, New Zealand.

WITNESS: I have not that. Then I have taken from Messrs. Hoag and Hallett's book on "Proportional Representation" the following facts:—

In Alberta proportional representation was made optional for municipal elections in 1916, and was adopted by Calgary and Edmonton. In British Columbia this record will show that it was adopted in 1917 for municipal elections by seven city municipalities, and according to Hoag and Hallett's book five of them abolished the system later; but I have been this morning informed that West Vancouver and South Vancouver have also abolished it. Do you know if that is the case?

Mr. MACNICOL: I think Calgary is the only one left in the whole list.

WITNESS: I have not the last information. If that is so, it is practically all abolished. In Saskatchewan, four cities adopted the principle of proportional representation for the municipal elections, and all of them have since abolished it.

By Mr. MacNicol:

Q. Would you give the names of the towns or cities?—A. Regina, Saskatoon, Moose Jaw and North Battleford. In British Columbia: Nelson, Port Coquitlam, New Westminster, Mission, West Vancouver, South Vancouver and Vancouver. I am not quite sure about South Vancouver and West Vancouver.

Hon. Mr. STEVENS: South Vancouver is merged into the city of Vancouver; and West Vancouver, I think, is a separate municipality and abolished it.

WITNESS: That is what I was told. Then I have some quotations from the recommendation of the Royal Commission that sat in Great Britain in 1906 and 1908.

The CHAIRMAN: I think we had better have what happened in England.

WITNESS: It is just a quotation from a rather lengthy report.

Mr. GLEN: Are we proposing to make any decision to-day? I should like to make a suggestion, that this will all go into the record, and then we will have all our questions afterwards. We then can give all the time we will to it and the discussion of proportional representation. He has a long list there.

The CHAIRMAN: I might say right now if it is the wish of the committee we can shorten the proceedings this morning by having Mr. Butcher just file this and have it all printed.

Mr. GLEN: Yes, because there cannot be any subject of argument here for none of us knows sufficient about it. Mr. MacNicol has something to add to it. It will be of value as well.

The CHAIRMAN: We will simply have Mr. Butcher file that whole precis that he has made and have it printed. Is that agreeable?

Some HON. MEMBERS: Yes.

(See appendix "B" to this day's evidence.)

Mr. MACNICOL: I should like to thank Mr. Butcher for the exhaustive inquiry he has made.

By the Chairman:

Q. Aside from that, Mr. Butcher, is there anything else you can give us this morning? That is, the memorandum you have there deals with proportional representation in various countries including Canada and showing the result of votes in Canada under proportional representation?—A. And quotations from many authorities in favour of or against proportional representation, and quotations from George Horwill's book.

Q. Is there any expression of your own opinion?—A. No. I have tried to avoid that at this stage; I thought that was proper.

Q. I think we had better have that filed and printed. Have you anything on compulsory registration and compulsory voting? Can you give us any further information in connection with the compulsory registration of voters and compulsory voting?—A. I have no information other than I have already given to the committee.

Mr. MACNICOL: In connection with compulsory voting, the only places in the British Empire where they have it is in Australia and New Zealand, two very warm countries with no such conditions as winter storms such as we have. In my opinion, in any reference to compulsory voting we would also have to make a reference to the holding of elections, because the holding of elections in Canada in the middle of January during cyclones in the northwest would prevent the public from voting and compulsion would result in a lot of hardship.

The CHAIRMAN: I think Mr. Butcher can give us the result of his study in regard to voting which has taken place since compulsory voting was put into effect.

Mr. HEAPS: It would be well to point out when we come to figures that before compulsory voting went into effect in Australia my memory is that the vote was 59 per cent; after compulsory voting became effective the vote went

up to something over 90 per cent. Now, if I am not mistaken, I think in the last election in Canada, without compulsory voting—I am not saying anything pro or con at the moment—our average vote across this country was well over 70 per cent.

The CHAIRMAN: I think we should have those figures now because Mr. Butcher while referring to that matter this morning did not give us the effect of compulsory voting, except in very general terms.

WITNESS: I am not quite sure of the figures.

Mr. GLEN: You say the figure in Australia is over 90 per cent?

WITNESS: The vote in Australia was 57 per cent or 59 per cent before the compulsory feature was introduced.

By Mr. Heaps:

Q. You are referring to figures given by Senator McRae in the Senate, are you not?—A. Yes. In regard to the election of 1935 in Canada, I have figures given to me by the franchise commissioner, and he informs me that the following figures are the percentage of the votes polled at the last general election by provinces:—

Province—	Percentages
Ontario	73·44%
Quebec	75·87%
New Brunswick	77·55%
Nova Scotia	75·56%
Prince Edward Island	80·31%
Manitoba	75·37%
Saskatchewan	76·87%
Alberta	65·38%
British Columbia	76·51%
Yukon	70·08%
Total for Canada	74·17%

By Mr. Taylor:

Q. Was that for provincial or federal elections?—A. Federal. The last one.

By Mr. Heaps:

Q. Were they all honest votes there?—A. We hope so.

By Mr. MacNicol:

Q. And individual ridings ran as high as 90 per cent, did they not?—A. I did not make an extract of that.

The CHAIRMAN: Would you continue with that and show what change took place in Australia for instance?

WITNESS: Well, the change was roughly from 57 per cent or 59 per cent to rather over 90 per cent. I have not the actual figures, except that they were given in the Senate by Senator McRae. There was a rather interesting debate in the Senate in 1933 which was engaged in, among others, by Senator Foster, now speaker of the Senate, Senator McRae, Senator Dandurand and Senator Meighen.

Mr. GLEN: If you gave us the reference to that it would be sufficient.

WITNESS: March, 1933.

Mr. MACNICOL: I would like to point out—

The CHAIRMAN: I wonder if for the convenience of the committee we could get Senate Hansard of that particular date?

Mr. HEAPS: The members can get that themselves.

Mr. GLEN: There is no use cluttering up the whole record with the debates of the Senate; those who wish to get them can get them and see the record for themselves.

Mr. MACNICOL: I started to say that I believe it would be worth while to point out in any reference to compulsory voting in Australia that the climate of that country is warm whereas compulsory voting in Canada in the winter time might present very serious difficulties for many thousands of voters, particularly if the election were held on the 15th of January in Saskatchewan or Alberta with a cyclone raging. That condition does not prevail in Australia. In my humble opinion the records of compulsory voting in Australia could not possibly apply to Canada unless our Election Act distinctly stated that no election should be held in the months of December, January, February or March.

A MEMBER: Or during a cyclone.

Mr. HEAPS: The worse kind of cyclone is a political one. However, Mr. Chairman, I think one of the reasons which contributed to the voting result of the last election—the large turn-out—was because election day was a very fine day, and that helped to bring the voters out.

The CHAIRMAN: Now, gentlemen, we will change the subject a little and refer to the reference that was made to this committee yesterday in the House which deals with redistribution.

Mr. HEAPS: How can we logically discuss that even now if we have not decided upon the form of voting that is going to take place. Suppose this committee were to decide upon P.R.

The CHAIRMAN: There are no conclusions given, as I understand it; it is only a matter of making suggestions as to the circumstances.

Mr. HEAPS: If we were to decide on P.R. the whole question would be entirely different.

Mr. GLEN: We will have to put that reference in the record because the order of reference will have to be added to.

The CHAIRMAN: It is only a matter of putting on the record something that will provoke thought.

Mr. GLEN: It will be necessary to include it as an order of reference, Mr. Chairman. Do I understand, for instance, that yesterday we had the four subjects proportional representation, alternative vote, compulsory registration and compulsory voting, and to that order of reference must now be added redistribution? Don't you think that that should be carried into the record?

The CHAIRMAN: No, it is referred to the committee, and Mr. Butcher, after dealing with these other subjects which came under the first reference, is now going to give us some information in connection with the reference of yesterday.

Mr. GLEN: I thought that, perhaps you might wish to have it put formally on the record as part of the order of reference.

The CHAIRMAN: No, we do not need that.

WITNESS: I have studied the method of effecting redistribution in Australia and New Zealand only to date.

SEC. XVI. In Australia, for the purposes of redistribution of the state into divisions, the Governor General may appoint three distributional commissioners, one of whom shall be the chief electoral officer, or an officer having similar qualifications; another, the surveyor general of the state, or an officer having similar qualifications.

SEC. XVIII. The chief electoral officer shall, whenever necessary, ascertain a quota for each state as follows:

The whole number of electors in each state as nearly as can be ascertained, shall be divided by the number of members of the House of Representatives to be chosen for the state.

SEC. XIX. In making any proposed redistribution the commissioners shall give consideration to:

(*a*) community or diversity or interest;
(*b*) means of communication;
(*c*) physical features;
(*d*) existing boundaries of divisions and subdivisions;
(*e*) state electoral boundaries.

The divisional commissioners may adopt a margin of allowances not exceeding 20 per cent more or less than the quota.

SEC. XX. The commissioners to exhibit a map and descriptions of the boundaries of each proposed division at post offices therein and shall advertise in the *Gazette*

SEC. XXI. Objections or suggestions in writing may be lodged with the commissioners not later than thirty days after the first advertisement.

SEC. XXII. After the thirty days mentioned the commissioners shall forward to the Minister their report upon the distribution of the state into divisions: the number of electors residing in each proposed division: and a map signed by them showing the boundaries of each proposed division.

SEC. XXIII. The report and map shall be laid before both Houses of Parliament within seven days of the receipt or within seven days of the next meeting of parliament.

SEC. XXIV. If both Houses of Parliament pass a resolution approving, proclamation shall be issued declaring the names and boundaries of the divisions.

If either House disapprove, the Minister may direct the distribution commissioners to propose a fresh distribution.

SEC. XXV. A redistribution of the state into divisions shall be made:—

(*a*) When an alteration is made in the number of members of the House of Representatives to be elected for the state;
(*b*) Whenever in one-fourth of the divisions of the state the number of electors differs from the quota by 20 per cent more or less;
(*c*) At such other times as the Governor General may direct.

Mr. HEAPS: How is the quota fixed?

WITNESS: The quota is fixed by the chief electoral officer who shall "whenever necessary ascertain a quota for each state as follows: The whole number of electors in each state as nearly as can be ascertained, shall be divided by the number of members of the House of Representatives to be chosen for the state."

Mr. HEAPS: You said something about 20 per cent.

Mr. CAMERON: Is the number of members fixed?

WITNESS: Yes.

By Mr. Heaps:

Q. You made reference to the fact in your statement that there may be a leeway of about 20 per cent?—A. The distribution commissioner may adopt a margin of allowances not exceeding 20 per cent.

Q. What is meant by that?—A. 20 per cent over or under of the electors. Suppose that the quota is 100,000—anywhere between 80,000 and 120,000 would be legitimate. In New Zealand—

Mr. WOOD: No consideration is given to the fact that the constituency might be more valuable because of density of population; there is no value represented there as if it were a sparsely settled constituency?

WITNESS: Yes, we do that—four votes to count. I would like to say that it is something like this, that two city votes count equal to one rural vote.

By Mr. Heaps:

Q. Have you studied the electoral division in Australia at all to see how they map out the mass population?—A. I have not seen any map at all, or anything of the kind.

Q. It would be very interesting to find out if there is the same disparity there as here?—A. I do not know. In New Zealand, in order to provide for periodical readjustment of representation two permanent commissions—

The CHAIRMAN: I think, before you go into New Zealand, it may be well to answer the question just raised with regard to Australia. Give us some further information in connection with Australia as to how the property qualification is made up.

Mr. MACNICOL: If Mr. Butcher will go on with New Zealand I shall go upstairs and bring down the Australian set-up.

Mr. CAMERON: It is unimportant, but it is evident the basis of redistribution in Australia is entirely different from what it is in Canada. Under the British North America Act there is a fixed unit here that you cannot get away from.

Mr. HEAPS: At the same time there is nothing to determine the size of the constituency in this country. They have their limit to 20 per cent.

WITNESS: Population basis.

Mr. CAMERON: Population determines it.

Mr. HEAPS: Up in the Yukon you may have only a few hundred people, and yet it is represented in parliament by a member. I am not speaking of the special Act. We have a condition in Canada which evidently has been eliminated in Australia.

Mr. MACNICOL: It may well be that the reason they can adhere more closely to a fixed quota in Australia than they can in Canada is that in Australia the people are all of the one race; whereas in Canada we have many races and experiences such as occurred in Ontario in the last redistribution, particularly, are common, where things are done which are not justifiable at all, as far as quotas go. Apparently it had to be done to allow race representation. They do not have that in Australia.

Mr. WOOD: In Australia is any representation given to universities?

WITNESS: No, no mention of it. Great Britain is the only country.

Mr. MACNICOL: The Imperial House has voted on it at different times—I won't say they passed it. It was discussed two or three times, and the opinion was very largely unanimous that university representation be abolished; but owing to the fact that university representation had existed for a very long time, as a matter of sentiment, in the last distribution, they permitted it to remain.

WITNESS: It will only take me a moment or two to refer to New Zealand. In New Zealand, they have the House of Representatives consisting of 76 members and 4 Maori members.

Mr. HEAPS: There is a racial problem there.

WITNESS: Yes.

In order to provide for periodical readjustment of representation, two permanent commissions are appointed, one for each island, one member called the North Island Representation commission and the other the South Island Representation Commission. There are five members on each commission, the surveyor general and two commissions of crown lands who are named by their title of office. They are the three official members of the commission on the North Island. On the South Island the three commissioners of crown lands are the three official members of the commission. The remaining two members of each commission, not being members of the public service or members of the general assembly, the House of Representatives nominates from time to time.

The government statisticians take periodical census and the commissions divide New Zealand into electoral districts on the following basis:—

(*a*) In computing for the purpose of the Act the population of New Zealand there shall be added 28 per cent to the rural population.

(*b*) The total population of New Zealand (other than Maoris) with the addition aforesaid shall be divided by the number of members (other than the four Maori members) and the quotient thus obtained shall be the quota.

(*c*) New Zealand shall be divided into as many districts as there are members (other than the four Maori members), and the quotient thus obtained shall be the quota.

(*d*) One member—to each district—the population to be equal to the quota (but the Commission may in rural constituencies only if considered necessary depart from the quota to the extent of 1,250 either way).

By Mr. Heaps:

Q. What is the quota per member, in population?—A. New Zealand divided into as many districts as there are members. That is the first thing.

Q. What does it give in population?—A. The population of districts shall be divided by the number of members.

Q. Have you those figures?—A. No. I know there are 76 members; that is all.

Q. You mentioned a moment ago they could add 1,250?—A. They can depart from the quota to that extent, either way.

Q. I wanted to find out what that 1,250 was on a percentage basis.—A. I don't know. I have not the information. I have not the population.

(*e*) In forming the several districts due consideration shall be given to

(*a*) Present boundaries of electoral districts
(*b*) To community of interest
(*c*) facilities of communication
(*d*) topographical features.

The Commission shall sit at a joint commission for the fixing of the number of divisions for the North and South Islands, but shall act separately in other matters within their jurisdiction. Due notice of proposal to alter an existing district or existing districts to be given in the Gazette. Objections and suggestions in writing may be lodged. The Commissions in every case to report the

names and boundaries of the electoral districts fixed by them to the Goveror General, who shall proclaim the same in the Gazette, and shall at once have the force of law; but shall not come into effect until the expiry of the then existing parliament. Within ten days the Governor General shall submit the report of the Commission together with an authenticated map to the House of Representatives if sitting, if not sitting within ten days after assembling; and such electoral districts shall be the electoral districts for the purpose of election after the dissolution or expiration of the then existing parliament and shall so continue until the succeeding report of the Commissions takes effect, or parliament otherwise enacts.

By the Chairman:

Q. You are filing the whole thing?—A. Yes.

Q. For New Zealand and Australia?—A. Yes.

By Mr. Wood:

Q. They have a large number of aborigines in New Zealand, are they disposed to give them representation at all?—A. They have four members.

By Mr. Heaps:

Q. Neither Australia nor New Zealand have P.R.—A. They have the alternative vote called the transferable vote in Australia, and the majority system in New Zealand.

Q. What about New Zealand?—A. New Zealand, relative.

Q. Single member?—A. New South Wales at one time had P.R., but abandoned it.

Q. Have you the reasons why they abandoned it in New Zealand?

By Mr. MacNicol:

Q. They did not have it there.—A. No.

Q. They had it at Christchurch but not in the state elections?—A. No. I think they had three elections in New South Wales under the P.R., and then they discontinued it.

The CHAIRMAN: Were there any reasons given?

Mr. MACNICOL: There were numerous reasons. The Royal Commission's report gives them all.

WITNESS: I have them.

By the Chairman:

Q. Are the reasons given in this memoranda?—A. I gave you one, yes. I have not the reasons with me. I have read the report to which Mr. MacNicol refers, but I don't remember the specific reasons given.

Q. That covers all the suggestions you have to make in your report?—A. That completes mine.

The CHAIRMAN: Now, gentlemen, all the information that Mr. Butcher has given has been put by him in a form—possibly elaborated in some cases—which will be printed in the record. I hope he has given us enough to enable us to study and ask questions. Mr. Butcher will be available to the committee at all times, and will be able to assist us in studying the matters that are referred to the committee. As I mentioned yesterday the important thing for us to do is to fix up the Election Act so that by-elections shall be called on proper lists. At the present time a by-election will be run on the list as revised last spring. All by-elections held up to the first of July must be run on that list. But suppose an election were called after the 1st of July with no revision this year. It is necessary for us to make some suggestions to the government as to how we

shall fix up the Franchise Act and Elections Act so that elections may be held on proper lists. The suggestion I am making is that next Tuesday we call both Colonel Thompson and Mr. Castonguay, the Chief Electoral Officer of Canada, to make recommendations to us with reference to the Elections Act and the Franchise Act.

Hon. Mr. STEVENS: Particularly having to do with the preparation of the lists.

The CHAIRMAN: Yes.

Hon. Mr. STEVENS: Suppose we set ourselves some task. The question of the lists is of some importance. There is a division of opinion, I think, in the committee, relative to whether that list should be prepared, and the sooner we decide that to the satisfaction of the committee the better.

The CHAIRMAN: Would it be the wish of the committee to call Colonel Thompson, the Franchise Commissioner first? He has to do with the making of lists. Should we endeavour to devote ourselves to his evidence at the next meeting, instead of calling Mr. Castonguay, who has to do with the election.

Mr. HEAPS: I think that is a good suggestion.

Mr. MACNICOL: I might say, Mr. Chairman, I should like to hear Mr. Castonguay, too. He is thoroughly posted on all matters of that nature and has a very wide experience. I agree with what Mr. Stevens has said, and what you suggest yourself, that we should first of all settle on the procedure that is to be followed in the event of a by-election being held after July. I endorse what Mr. Heaps has said. I think the next thing to do would be to determine whether we are going to maintain our present relative majority system or go on some one or other score. When we have settled on that we can then deal with the balance.

The CHAIRMAN: The first thing to do is to find out how we are going to fix up the lists.

Mr. MACNICOL: For by-elections.

The CHAIRMAN: Yes.

Hon. Mr. STEVENS: Or for any election.

The CHAIRMAN: Well then, I shall request both Col. Thompson and Mr. Castonguay to be here on Tuesday; if that is agreeable to the committee.

Mr. HEAPS: Mr. Chairman, we will take up the question of the lists first?

The CHAIRMAN: On Tuesday, yes.

Mr. HEAPS: All right.

The CHAIRMAN: That is agreeable?

Some Hon. MEMBERS: Yes.

The CHAIRMAN: Then, we will adjourn.

The Committee adjourned at 12:30 o'clock p.m. to meet again on Tuesday, March 10, 1936, at 11 o'clock a.m.

APPENDIX "A"

Prince Edward Island—

(*a*) Has property qualification for voters.

(*b*) No person in Holy Orders or Clergyman may be a candidate for the Assembly.

New Brunswick—Voters' Lists. Secs. 11 to 25.

The municipal lists are the base—1st August.

Revisors appointed—3 in each parish town or city—1st September.

Lists forwarded to County Secretary 1st November.

The Sheriff has duties, too, commencing December 10—to strike off names on more than one list and to make up lists finally by December 24 and forward to Secretary of municipality.

SEC. 34—No Minister, Priest or Ecclesiastic may be a candidate.

SEC. 66—Deposit $100 (returned if votes equal half of successful candidate.)

SEC. 73—No notice if candidate withdraws after nomination.

SECS. 24, 94, 98—Closed lists—(but application to add name may be made at any time, apparently up to 14 days before poll).

SEC. 50—Sheriffs are ex-officio returning officers—but the Lieutenant Governor in Council may appoint other persons.

SEC. 63—Proclamations must be posted at least eight clear days before official nomination.

SEC. 65—20 electors may nominate.

SEC. 174—Advance polls for railway employees, sailors, fishermen and commercial travellers.

Nova Scotia—

SEC. 27—2 electors may nominate a candidate.

SEC. 28—Deposit $100 (returned if vote equals half of those of successful candidate).

SEC. 32—Candidate may withdraw before one o'clock on nomination day (nominations close at two o'clock).

SEC. 42—Advance poll may be arranged for railway employees, sailors, fishermen and commercial travellers.

SEC. 48—Closed lists.

SEC. 95—Hiring cars or to take voters to the poll illegal.

Quebec—

SEC. 10—*Qualification of Electors.*

No women—and not all men—(Note the limitations).

SEC. 18—Basic lists prepared by Secretary-Treasurer of Municipality. (Special provisions for Hull, Three Rivers, Sherbrooke and Valleyfield).

SEC. 32—With a City Electoral Lists Office and a permanent officer in Montreal.

In Quebec City lists compiled by the City Clerk.

SEC. 79—Application for registration or correction may be made to Secretary-Treasurer.

SEC. 82—Revision by the Municipal Council.

SEC. 91—Such revised list to be the "true electoral list" and to be kept by Secretary-Treasurer of Municipality.

SEC. 178—There is a revision just prior to an election.

(A.K)

SEC. 149—Council to define limits of polling divisions (average 250).
SEC. 192—Deposit $200.
SEC. 204—Withdrawal of candidates same as in Dominion.
SEC. 232—7 days from nomination to poll.
SEC. 255 (*a*)—Oath of person required to swear before voting.

Ontario—

SEC. 2—Election Board—Composed of two judges, local Registrars of Supreme Court, the clerk of the peace, the registrar of deeds (or other equally prominent named official). An election board in every county.
SEC. 15—Persons disqualified to vote include Judges, Clerks of the Peace, Crown Attorneys and Police Magistrates in cities and towns having a population of 5,000 and over.
SEC. 23—Nomination day not less than 25 days and not more than 60 days after issue of writ.
SEC. 24—Election day 7 days after nomination day.
SEC. 52—If council of municipality fails to divide municipality into polling divisions the returning officer shall do so.
SEC. 54 (3)—The number and location of the polling places, subject to the approval of the electoral board.
SEC. 55—Polling places at Soldiers' Hospitals.
SEC. 57—Nomination papers must be signed by at least 100 duly qualified electors. (No deposit).
SEC. 61—Withdrawal of candidate before poll—the returning officer if possible to notify every deputy returning officer and cause notice of withdrawal to be posted in every polling place.
SEC. 92—In a township or village, and in town not having more than 3,500 population, and not within 5 miles of a city having a population of 100,000 or over, electors not on a list, if vouched for, may vote.
(Elsewhere—closed lists).
SEC. 86 (*a*) A mariner may vote by proxy (wife, parent, brother, sister or child 21 years of age, and an elector).
SEC. 163—Treating—(as in Dominion Act) and hiring vehicles.

Manitoba—

SEC. 3—Returning officers appointed for as long as he remains resident of the division and for three months thereafter, unless his appointment is rescinded, or he resigns or dies.
(*c*) Between 25 and 35 days from issue of writ to nomination day.
(*d*) 10 days between nomination and polling. (Unless a holiday, then day following).
SEC. 14—List by enumerators (unless an existing list is adopted).
SEC. 12 (1) (*a*)—Polling booth to be in a Court House, municipal hall, or public school house if available.
SEC. 22—Returning officer to revise lists on the 5th and 4th day before nomination day (in as many as 3 places in his division). And in multi-member constituencies appoint revising officers to do the work of revision.
SEC. 28—Advance Poll—Any qualified voter who expects to be absent from his poll may apply for a certificate entitling him to vote at an advance poll.
SEC. 33—Lists not over 2 years old may be used unless otherwise directed by the Lieutenant-Governor in Council.
SEC. 36—Any 25 or more voters may nominate. ($200).
SEC. 39—Nominations 12 to 1.

SEC. 44—Candidate may withdraw at any time within 48 hours of nomination (no provision for publication).

SEC. 76—Name of voter may be added to list on polling day, if vouched for by 2 electors resident within the polling division, and to vote.

SEC. 89—The alternative vote in single-member constituencies. (109)

SEC. 112—P.R. in seats in which two or more members are to be elected. (113) Supervisors and sorters to be appointed by Lt.-Gov. in Council.

SEC. 127—An offence to *solicit* donations, subscriptions, etc., from a candidate during an election.

SEC. 128—A corrupt practice for any profit making corporation or concern to make contribution for political purposes; nor may any person solicit such contribution.

SEC. 131—In cities a voter shall not allow or permit himself to be conveyed to the poll by others. (Exceptions: Persons in same household—sick or crippled persons.)

SEC. 148—Executory contracts . . . . except for the payment of lawful expenses, etc., shall be void.

SEC. 165—(*c*) Candidates may pay travelling and living expenses of speakers who are travelling and speaking with them.

SEC. 166—Expenses of a political party at a general election are limited to $15,000. The ways in which the money can be expended are limited. Statement and vouchers to be filed with the Clerk of the Executive Council.

Saskatchewan—

SEC. 16—(1) Lists made up after issue of writ of election. (Enumerators to make up list—no basis mentioned.)

(2) The enumerators themselves sit for two days to revise the list and complete same two days before election day.

SEC. 24—From 16 to 20 days between issue of writ of election and polling day. Seven days between nomination day and polling day.

SEC. 56—Four or more electors may nominate a candidate. ($100.)

SEC. 58—Nominations 12 to 2.

SEC. 62—Candidate may withdraw at any time before close of poll (no provision for notice to public).

SEC. 79—Elector may vote in his own poll only.

SEC. 105—Lists are not *closed.* (Person whose name is not on list is to be sworn.)

SEC. 109—Advance poll for railway men, commercial travellers and other persons whose employment or calling is such as to necessitate absence from their place of residence on polling day.

SEC. 192—Executory contract, *even* for payment of lawful expenses, etc., shall be void.

Alberta—

(1932 Amendment) SEC. 2. Poll may be held in a hospital where not less than 20 patients able to vote. (Not in hospitals for mentals or mentally defectives.)

SEC. 3—Between 20 and 30 days between date of writ and day for nomination.

Ten days between nomination and polling.

SEC. 14—Enumeration at each election.

SEC. 24—Advance polls—"Any qualified elector of an electoral division in which an advance poll is to be held."

SEC. 28—Use of lists not more than 2 years old in a plebiscite or by-election.

SEC. 31—Four or more voters may nominate a candidate ($100) (20 per cent of first preference votes—in single-member; one quarter of the quota in multi-member).

SEC. 37—Candidate may withdraw before closing of the poll—no provision for publication.

SEC. 64—Employees have from 4 to 6 for voting.

SEC. 67—Electors not on list may vote if vouched for.

SEC. 82—Alternative vote in single-member constituencies.

SEC. 92—P.R. in Edmonton and Calgary.

SEC. 134—Executory contract, even for payment of lawful expenses, void.

British Columbia—

SEC. 4—Qualifications of electors—6 months in province—one month in the electoral district.

SEC. 9—Method of registration—continuous.

Registrar.

Deputy Registrar—convenient sittings. Personal canvass on occasion.

Registrar's Office—Monthly Court of Revision.

SEC. 15*a*—Lieutenant-Governor in Council may order cancellation of existing lists and completion of new ones.

SEC. 41—Proclamations to be posted up at least eight clear days before nomination day.

Polling day 21st day after nomination day.

SEC. 52—Nominations—2 voters in most districts; 25 in others (city).

(No deposit required.)

SEC. 57—Candidate may withdraw before "the day next preceding the opinion of the poll, but not afterwards".

The returning officer to give public notice of the withdrawal.

SEC. 63—Candidate may act as his own agent (England too).

SEC. 75—Closed lists. (But see 106-107. Absentee Voting.)

SEC. 106-107—Absentee voting—"Any voter whose name is on the list of voters"—etc.

SEC. 85—Returning officer's pay "all necessary officers' and clerks'."

SEC. 167—Legitimate expenses include: "The expenses of a central committee room, and of not more than one committee room in each polling division."

SEC. 167*f*—A legitimate expense: "Transporting voters to and from polling places within the electoral district."

SEC. 169—Returns to be made by officers of any central committee.

The Dominion Elections Act—

SEC. 16—Within 2 days after receipt of writ the returning officer shall issue Proclamation.

SEC. 19—Date of election to be named in the writ.

SEC. 19(5)—Ten or more electors may nominate a candidate.

SEC. 19(12)—Nomination day—twelve o'clock till two o'clock.

SEC. 19(3)—Days between nomination day and polling day.

APPENDIX "B"

Early History of Proportional Representation

To Thomas Wright Hill, of Birmingham, England, (Father of Sir Rowland Hill) belongs the distinction of being the inventor of the system known as Proportional Representation with the single transferable vote, certainly before 1821, for Rowland Hill in that year speaks of his own election on a committee of the Society for Literary and Scientific Improvement by means of his father's invention.

The first application of the principle to public elections was made in Adelaide, South Australia, in 1839. South Australia was then a colony of a few hundred inhabitants. It was applied at the suggestion of Rowland Hill.

The first public Proportional Representation elections carried out by ballot were held in Denmark in 1856, the method used being the single transferable vote devised by M. Andre, the Minister of Finance in that country.

Then in 1857 Thomas Hare, an Englishman, developed the system and published a plan for electing members at large throughout the country.

For forty years there was but little development in the movement, but then the "list" system was adopted on the continent.

In 1884 the British Proportional Representation Society was founded, Leonard Courteny (afterwards Lord Courteny of Penwith), Sir John Lubbock (afterwards Lord Avbury) and Albert Grey (afterwards Earl Grey) became ardent advocates of the system and conducted an active educational campaign throughout the country. The most active workers in the cause in more recent times have been Sir John Fischer Williams and Mr. John Humphreys.

Proportional Representation and the Alternative Vote

Sir John Fischer Williams' definition of Proportional Representation is in part as follows:

> Proportional Representation is the name given to all those electoral methods which aim at reproducing in the elected party the opinions of the electorate in their true proportions.....all such electoral methods have this in common, that they reject the attempt to represent by one individual the electors resident in one geographical area.....and require constituencies returning several members. The members thus elected represent the sections of electors whose votes have caused their election.

The Alternative Vote:

Messrs. Hoag and Hallett:—

> The alternative vote has been devised to make it certain that in single-member constituencies no candidate can secure election unless he has behind him the support, if not of the majority of voters in a constituency, at least of a greater number than under the present system elects a member where there are more than two candidates.

Sir J. Fischer Williams in his "Reform of Political Representation" (1918) says, as follows:

> The different systems of Proportional Representation need not here be discussed and analyzed. There are said to be some three hundred systems in existence, and the ingenuity of the inventors shows no sign of exhaustion.

There are two systems, however, which have met with the greatest acceptance: One is known as the "list" system, and is in use on the continent (with many different methods of computation). The other is the Hare system, which is used generally throughout the British Empire.

It may be interesting to here note that Messrs. W. L. Eddy and S. M. Spidell of Central Butte, Sask., have recently invented a system which they have called the "point" system. It bears a very strong resemblance to the Finnish system and is rather more simple than some of those adopted by European countries.

Reasons Urged by the Advocates of Proportional Representation for the Adoption of that System

(Political effects of the Single-Member Constituency).

(*a*) The rule of the majority is not assured by the single-member district system.

(*b*) The single-member district system is unjust to minorities.

(*c*) That system (say Messrs. Hoag & Hallett) lends itself to "The Balance of Power Evil."

If neither the majority nor a substantial minority is assured its rightful share of the representatives by the single-member district system, what group is assured it? None, But there are certain groups which usually get not only their rightful share but far more. One such group.....is the largest party. This is due to the law of chance.

Other such groups are organized minorities with enough votes to hold the balance of power.....

(*d*) Political independents are excluded under the present system.

(*e*) Leaders are often defeated where under Proportional Representation they would certainly be re-elected.

(*f*) Corruption is encouraged.

(*g*) Landslides are not unusual.

(*h*) The present system lends itself to gerrymandering.

(*i*) The single-member district system of electing representatives is fraught with grave danger to the very foundations of constitutional democracy .....The legislative bodies elected by it—city councils, state legislatives and the National House—are habitually thought of as misrepresentatives by the great majority of voters.

Proportional Representation
countries with a single transferable vote

Great Britain	For University Members of the House of Commons.
Irish Free State	Both Houses of Parliament.
Tasmania	The Assembly.
Union of South Africa	The Senate, The Executive Committee of Provincial Councils.
South West Africa	Executive Committee of the Legislative Assembly.
Alberta	Representatives of Calgary and Edmonton in the Provincial legislature.
Manitoba	Representatives of Winnipeg in the Provincial legislature.
India	Certain constituencies for National Legislature and for Provincial Legislatures.
Malta	The Senate (part), The House of Assembly.

Proportional Representation
As in 1931

COUNTRIES EMPLOYING PROPORTIONAL REPRESENTATION IN NATIONAL, PROVINCIAL, OR STATE ELECTIONS

The "list" system

Denmark	Upper House of Parliament and Lower House of Parliament.
Switzerland	Lower House of Federal Parliament.
Belgium	Chamber of Deputies and the Senate Provincial Councils.
Norway	Parliament.
Finland	The Diet.
Sweden	Both Houses of the Riksdag.
Germany	The National Constituent Assembly, Reichstag, State Legislatures.
Austria	The National Constituent Assembly, Both Houses of Parliament.
Poland	The National Constituent Assembly, Both Houses of Parliament.
Luxemburg	Chamber of Deputies.
Jugo-Slavia	The National Constituent Assembly, National Assembly.
Czechoslovakia	The National Assembly, The Senate.
Esthonia	The National Assembly.
Latvia	The National Assembly.
Lithuania	The National Assembly.

Elections Under Existing System

The 1935 Prince Edward Island Election: With fifty-eight per cent (58 per cent) of the popular vote, the Liberals carried every seat in the province.

Dominion of Canada Elections—1908—

	Votes	Seats won	The correct proportion would have been
Liberals	594,270	135	114
Conservatives	552,134	86	107
Majority		49	7

Dominion of Canada Elections—1911—

Conservatives	669,594	134	115
Liberals	625,103	87	106
Majority		47	9

Dominion of Canada Elections—1930—

15 Conservatives were elected on minority votes.
8 Liberals were elected on minority votes.
2 Labour were elected on minority votes.
1 U.F.A. was elected on minority votes.
1 Progressive was elected on minority votes.

The By-Election in Athabaska—1931—

Conservative elected by 32 per cent of total vote.
(4,910 out of 15,202)

The British General Election—1931

Government parties elected 493 members at cost of 29,000 votes per Seat.
Labour elected 46 members at cost of 144,000 votes per Seat.

(The true proportion would have been:—
Government parties 368 Seats,
Labour 168 Seats).

ELECTIONS UNDER EXISTING SYSTEM

Ontario Elections of 1929—

Liberals received 49·4% of vote and 78% of seats.

Ontario Elections of 1929—

Conservatives received 57% of vote and 82% of seats.

Saskatchewan Elections of 1929—

Liberals received 149,787 votes and secured 28 seats.
Conservatives received 105,326 votes and secured 24 seats.

(And a Conservative administration followed as a result of a coalition with Progressives and Independents.)

Saskatchewan Election of 1934—

Liberals received 47·1% of total vote and 91% of seats.
Conservatives and C.C.F. with 52·9% of vote secured 9% of seats.

EXAMPLES OF ELECTIONS UNDER PROPORTIONAL REPRESENTATION SYSTEM

POLAND

(P.R. adopted 1921)

Election results, November 5, 1922—

National Christian Union	163
Radical Peasant Parties	55
Moderate Peasant Party	70
Polish Socialist Party	41
Jews	18
Union of National Minorities	66
Ruthenians	5
Communists	2
Others	24

NETHERLANDS

(P.R. adopted 1917)

Election results, 1922—

Catholics	32
Social Democrats	20
Anti-Revolutionist Party	16
Christian Historical Party	11
Liberty Union	10
Democrats	5
Other Parties	6

DENMARK

(P.R. under the Constitution 1915, and amended 1920)

Election results, April, 1924—

Liberals	45
Radicals	20
Socialists	55
Conservatives	28
Slesvig (German Party)	1

FINLAND

(P.R. practised since 1906)

Election results, April, 1924—

Social Democrats	60
Agrarians	44
Finnish Coalition Party	38
Socialist Labour Party	18
Swedish Party	23
Finnish Progressive Party	17

NORWAY

P.R. election results, 1924—

Conservative and Moderate Liberals	54
Radical Left	34
Farmers' Party	22
Radical People's Party	2
Labour Party (anti-Moscow Communists)	24
Social Democrats	8
Moscow Communists	6

ESTONIA

(P.R. adopted 1920)

Election results, May, 1923—

Agrarians	23
Social Democrats	15
Reformist Labour	12
Communists	10
Populists	8
Christian Party	8
Independent Socialists	5
Balts	3

PROVINCIAL ELECTION—ALBERTA, 1935

Calgary and Edmonton (Proportional Representation)

Calgary (Quota 5,885)—

		Seats
Social Credit	24,079	4
Liberal	8,000	1
Conservative	5,956	1
Labour	1,645	0
Others	1,513	0

Edmonton (Quota 5,325)—

		Seats
Liberal	14,033	3
Social Credit	13,661	2
Conservative	4,820	1
U. F. A.	2,092	0
Others	1,289	0

(The *Edmonton Journal*, commenting upon the election, said:—" Whatever the new government does, it is to be hoped that it will not do away with Proportional Representation in Alberta. If it wishes to make a move in the right direction, it will amalgamate Alberta's single-member ridings into multi-member constituencies and put Proportional Representation into effect over the whole province.")

ALBERTA ELECTIONS, 1935

(The Alternative vote in constituencies other than Edmonton and Calgary)

	Seats
Social Credit candidates polled 123,869 votes and secured	50
Liberal candidates polled 47,050 votes and secured	1
U. F. A. candidates polled 30,603 votes and secured	0
Conservative candidates polled 8,642 votes and secured	0
Labour candidates polled 2,074 votes and secured	0
Other candidates polled 7,804 votes and secured	0

Forty (40) out of the fifty-one (51) Seats were won by a clear majority.

Fifty-six per cent (56%) of the popular vote secured practically a monopoly of representation—fifty (50) Seats.

Forty-four per cent (44%) of the popular vote secured but 1 Seat.

IRISH FREE STATE, 1932, GENERAL ELECTIONS

(Under Proportional Representation)

Party	Votes	Seats Won	Votes per Seat
Fianna Fail	566,475	72	7,867
Cumann na nGaedheal	449,810	56	8,032
Labour	98,285	7	14,040
Farmers	41,302	5	8,260
Independent and Others	117,333	9	13,037

IRISH FREE STATE, 1933, GENERAL ELECTIONS

Fianna Fail and Labour	770,968	85	9,070
Cumann na nGaedheal Centre and Independent	615,358	68	9,049

"TIME TAKEN UNDER PROPORTIONAL REPRESENTATION FOR THE COUNT"

(Messrs. Hoag & Hallett.)

In Cleveland (1st district) there were 35,564 ballots, making necessary 51 transfer counts, requiring 50 clerks, and taking 33½ hours of working time.

The largest count ever held in the United States was that in Cincinnati in 1925. There were 124,091 ballots, requiring 96 hours, spread over 12 days.

The largest "Hare" count prior to January 1, 1925, was that for Counties Tyrone and Fermanagh in the election of the Parliament of Northern Ireland, May 24, 1921. There were 84,792 ballots, number of transfers comparatively small, requiring 24 persons, who completed count in 35 hours.

The largest "Hare" count ever conducted, Irish Free State, September 17, 1925. There were 315,167 ballots. There were 76 candidates—all but nineteen (19) of whom had to be eliminated one by one.

The central count with an average daily force of 43 occupied fourteen (14) days.

PROPORTIONAL REPRESENTATION IN CANADA

Messrs. Hoag & Hallett—"Proportional Representation" (1926)

Alberta: Optional for municipal elections.. 1916
Calgary (Provincial Elections).. 1916
Edmonton (Provincial Elections).. 1922

British Columbia: Optional for municipal elections.. .. 1917
Nelson.. 1917
(abolished by act of Council—1919)
Port Coquitlam.. 1917
(abolished by act of Council—1921)
New Westminster.. 1917
(abolished by act of Council—1919)
Mission.. 1917
(abolished by act of Council—1921)
West Vancouver.. 1917
South Vancouver.. 1918
Vancouver.. 1920
(abolished by popular vote—1923)

Saskatchewan:
Regina.. 1920
(voted to retain P.R.—1923)
(abolished by popular vote—1926)
Saskatoon.. 1920
(voted to retain—1923)
(abolished
Moose Jaw.... 1920
(abolished by popular vote—1925)
North Battleford.. 1920
(abolished by popular vote—1924)

Manitoba:
Provincial Legislature—Winnipeg members. 1920
Winnipeg—Council school trustees.

PRACTICAL ASPECTS OF ELECTORAL REFORM

"A Study of the General Election in (1922)"

by

John Humphreys

"The House of Commons of Canada has found no insuperable difficulty in adapting itself to a situation in which no party possessed a clear parliamentary majority over all others.

After the last general election the Liberal party, although the largest, was in a minority of one. Yet the Liberal administration, formed before dissolution under Mr. Mackenzie King, seems to have been highly successful during the past year (1922) and there is every prospect of its continuing in office.

It is true that owing to some by-election successes the Liberal party has now a majority of three or four. But this is by no means what would be regarded as a working majority by politicians of the past generation.

An article by the parliamentary correspondent of the Ottawa Citizen, January 20, 1923, explains that the success of the administration was traceable "to the consultation of parliament in a real rather than in a formal way." —"It was a democratic government in an advanced degree."

The Recommendation of the Royal Commission, 1906

"We recommend the adoption of the alternative vote in cases where more than two candidates stand for one seat. We do not recommend its application to two member constituencies but we submit that the question of the retention of such constituencies, which are anomalous, should be considered as soon as an opportunity offers. Of schemes for producing P.R. we think that the transferable vote would have the best chance of ultimate acceptance but we are unable to recommend its adoption in existing circumstances for election to the House of Commons."

(University Representation.—The Universities of Oxford and Cambridge each elect two members, the Universities of Durham, Manchester, Birmingham, Liverpool, Leeds, Sheffield, Bristol and Wales, grouped with London, three members, Edinburgh, St. Andrews, Glasgow, Aberdeen three members. All of the University members are elected by Proportional Representation with a transferable vote).

Report of the Royal Commission (Great Britain)

Appointed to enquire into electoral systems, 1908

Para. 105.—The exaggeration of majorities is as a rule no evil. Excessive majorities of course occur; but they bring their own correction against tyranny in increased independence; and they are at least preferable to insufficient majorities. The advocates of the tranferable vote remind us that the object of a representative body is to represent; but the object of representative government is not only to represent but to govern. The greatest evil that can befall a country is a weak executive; and if a strong one can only be obtained at a cost of mathematical accuracy the price should be willingly paid.

Para. 110.—From the point of view of the candidate and member the objections are equally serious....It is agreed that if the scheme is to work to the best advantage constituencies of from 7 to 9 members at least are necessary, and that results adequate to the importance of the change cannot be expected from constituencies of less than 5. This means that the expenses of contesting a constituency—canvassing, printing, circulating posters and leaflets and travelling will be multiplied in the same proportion.

Copy of Resolution on Electoral Reform

Submitted by the Executive Committee at the Annual Meeting of the (British) Council of the National Liberal Federation at Claeton, April, 1932

"This Council affirms its conviction that the adoption of Proportional Representation is a reform of the utmost urgency. It is directly due to the system of the single-member constituency that at the General election held last October multitudes of Free Trade voters felt themselves constrained to support Protectionist candidates; that the most responsible spokesmen of the Labour Party have been excluded from Parliament; and that the election has resulted in the most unrepresentative House of Commons of modern times. It becomes increasingly evident that, under the present system, dangerously violent oscillations of policy are all but inevitable. Nothing short of Proportional Representation will restore confidence in representative government in this country."

THE CASE FOR PROPORTIONAL REPRESENTATION

As presented by J. Fischer Williams, C.B.E.

Sometime Fellow of New College, Oxford, and of Lincoln's Inn, Barrister-at-Law; Hon. Treasurer of the Proportional Representation Society

In his book "Reform of Political Representation" published in 1918 Sir J. F. Williams in his opening remarks says:—

"The war has made our people look at the foundations of institutions. It is on our side a war to make 'the world safe for democracy'. A telling phrase and true. For the Prussian system is a denial of the doctrine of popular sovereignty, a hierarchic constitution designed for the advantage of a single caste. But what is the thing that we call 'democracy' for which the world is to be made safe? It is not what 'democracy' meant in the age of Pericles—government by the assembly of citizens who could listen to rival orators and decide the gravest questions of policy by a popular vote. It is representative democracy—the thing that Rousseau said did not secure freedom—government by the people through the medium of representatives elected at intervals of a few years, and, in theory at any rate, supervising some smaller body, Council of Ministers or Cabinet, responsible for the preparation of legislation and for the business of executive government. The House of Commons claims to be a representative body. Does it in fact represent all the citizens? Are all the main elements of the national life reproduced in it? Within the measure of its numbers does it contain every man of capacity who aspires to political life and whom a reasonable number of citizens desire to see elected? If the answer to these questions is in the negative is there no way of reform? Is it right to go on choosing one man to represent a population of whom a large part—sometimes the larger part—do not agree with him? Have other countries nothing to teach us?.....Must we always exclude from parliamentary representation opinions which are held by (say) four-ninths of the inhabitants of large tracts of country? And if these anomalies are not inherent in the nature of parliamentary representation, it is surely at least premature, as so many are now disposed to do, to disparage and despise parliaments altogether, and to look for short cuts to efficiency by reliance on the Press or the trade union or the guild or the bureaucracy."

The following are quotations from Mr. Williams' book:—

"Where two candidates alone contest the seat, the member chosen represents the majority of those who vote, the minority go unrepresented."

"Where three candidates contest a seat, the Member chosen is that candidate for whom more voters vote than for any one of the other two candidates." ...."In this case two minorities which together often make a majority go

unrepresented." "The present electoral system is usually supposed to be a protection against the cranks and faddists whom a truly representative or proportional system would introduce; it is in fact their strongest ally for it gives them a fictitious strength and it prevents the true paucity of their numbers from appearing."

" The present system is also open to criticism from the point of view of the member of parliament as a worker. We hear much to-day, and rightly, of the desirability of continuity in employment. A man is the better craftsman if he is not haunted by the fear of unemployment. This doctrine has its application in the political sphere. It is a good thing that if a man has given himself to public life he may be sure of remaining in it so long as he has the confidence of a body of electors entitled to representation. In such conditions he can pursue his career more firmly, he can do better work, he can accumulate more experience than if he is liable to be dismissed at any moment from public life by the few electors whose change determines the result of an election in a single-member constituency. A politician's seat and career should be safe so long as his own supporters are sufficiently large in number to be entitled to a representative and wish to be represented by him. Safe seats are at present, and must be, the exception; a proportional system would make them just so far the rule as they ought to be. This insecurity of the politician's employment has been praised as a merit of the present system. It has been claimed that it is an advantage that the electorate can at the present moment dismiss its representatives if it disagrees with them—that in fact the present system ensures 'democratic control.' "

" The House of Commons must be all-inclusive, if it is to continue to exist. The alternative, sooner or later, is a reaction of disillusion with parliamentary methods which may dissolve society into anarchy. Next, see how the case looks in an individual constituency. We have three parties of more or less equal strength with distinct programs and principles. Whichever candidate is chosen, the two parties to which he does not belong are treated unjustly. For this admitted evil the supporters of the present system can only suggest as a remedy either the second ballot, the left-off clothes of continental politics, or the alternative vote, which, though a great improvement in mechanism, is still in principle only the second ballot in a new disguise."

"Such is our actual electoral system. It does not secure the consent of the majority of the governed. It disfranchises minorities; it deadens political life; it does not set free those new forces and stimuli which in whatever class of society they arise, are the real hope of the future." "The different systems of P.R. need not here be discussed. There are said to be some three hundred systems in existence, and the ingenuity of inventors shows no sign of exhaustion." ...."But all systems of proportional representation agree in a denial of the shallow dogma that local majorities alone are entitled to the elementary privileges of citizenship, and in an assertion of the simple proposition that the just representation of 70,000 electors, of whom 40,000 are Whites, 20,000 are Reds, and 10,000 are Greens, is not by 7 White members of parliament, but by 4 White, 2 Red, and 1 Green member."

"Thus the first step in the introduction of a system of proportional representation—or at any rate of the system of the single transferable vote, or of any continental system of 'lists'—is the creation of constituencies returning several members. The number of members that each constituency should return would be governed either by the number of its electorate or of its population—whichever basis were approved by parliament. The constituencies themselves should, whenever possible, be local government units—great cities or counties. This, no doubt, would not be possible in many cases, but, as far as may be, what may be called natural lines of division should be followed. The new constituencies once created, redistribution in the future would be simplified enormously. As population shifted or increased, no alteration of

boundaries would be needed. It would be enough to alter the number of members allotted to a constituency. The only case for alteration of boundaries would be where local government areas were altered by the expansion or creation of a city or county borough."

"It may be added that the actual results of elections that have taken place under the system lend no support to the theory that the electors in giving their late preferences do not vote as 'politically' as in giving their earlier preferences. The balance of parties in the Johannesburg municipal elections and in the Tasmanian elections corresponds well to the proportions of No. 1 votes given to each party."

Mr. Williams anticipates many objections that will be raised by people who are not familiar with what he considers to be the advantages of the system. He says with reference to majorities:—

"As to small majorities, it is no doubt true that we shall have smaller majorities than those to which we are accustomed under the present system .....No doubt, of late years the practice of the House of Commons has come to require a good working majority, but the present system does not secure it.....In fact there is always an element of pure chance in the result of any single-member majority system, and the country has no security that majorities in the House of Commons will either correspond to or exaggerate the majorities in the electorate. If we rely on the present system for large working majorities, we lean on a broken reed. But are large majorities a real necessity for the House of Commons? They were not always thought so. In the middle of the nineteenth century governments thought themselves very comfortable with majorities of fifty and less. Indeed it is clear that the size of majority is not by itself any added advantage; what a government wants on a division is to carry its proposals.....True it is that it is a great advantage to have as it were a reserve of power for an emergency; but what is necessary is to have enough power to climb the obstacles that have to be overcome."

"The effect of a reformed method of representation on the British Party system is very difficult to forsee; experience alone can decide the qustion. There is, however, no point on which both the friends and the enemies of reform speak with greater confidence."

"It has been thought that the introduction of proportional representation will destroy parties because 'a Prohibitionist candidate might well be elected on the Prohibitionist platform alone,' and thus we should have 'detached groups which have no mandate and which appeal to the country as though they were to be absolutely separate in their parliamentary action.....A sufficient answer to such a theory is that in existing conditions it would be impossible for a candidate to appeal to an electorate at a general election without declaring his views on the main questions of the day. He might attach special importance to some special question, but he could not avoid questions of pressing political interest. It is unthinkable that a temperance candidate could have stood in 1910 and not told his electors on which side he meant to vote in a division on the Parliament Bill."

"Belgian experience is against the theory and, indeed, points rather to a consolidation of groups into parties under proportional representation. The three great Belgian parties—Catholic, Liberal, and Socialist—seem to have strengthened themselves under proportional representation rather than disintegrated. And though it must be remembered that the Belgian system of proportional representation is a list system, still Tasmanian experience with the single transferable vote equally does not support the group theory. In Tasmania, as elsewhere in Australia, a politician is either Labour or anti-Labour, and these capital divisions survive whatever the system of representation. But it may be admitted frankly that the Tasmanian House of Assembly is so small (30 members only) that too much stress must not be laid on inferences from Tasmania to Great Britain."

" The most striking defects of the existing party system as it functions in peace time are: (1) that, on any subject of importance, legislation is impossible which is not supported by one or other of the two great parties; and (2) that the wire-pullers of a party exact a strict conformity to every article of the creed of the party for the time being. On both these points proportional representation would tend to improve existing conditions. It would give voters the choice between candidates of their own party with different tendencies, e.g., Unionist supporters of the State purchase of the drink trade and Unionists who are opposed to State purchase, and so in effect would at once produce a parliament which accurately represented public opinion on a subject of importance on which the great parties do not formally adopt a policy and thus allow the electorate and not the wire-pullers to settle the party creed."

" If the general frame of the party system thus remains, the danger of 'Immoral bargains' between groups in the House of Commons need not detain us. Indeed, the prophecy of this evil result is founded on the fallacy that groups of faddists will be returned without a mandate on general questions of importance."

" Another objection is that proportional representation, by creating large constituencies, will destroy the human interest in politics, overwork the member, and weaken the personal touch between him and his constituents. The reverse is surely the truth. At present a member of parliament who seriously tries to carry into effect the principles he was elected to support, must be in a relation of political hostility to his opponents in his constituency. There can be no real personal touch between them. And all the time he has been working to conciliate the uncertain voter. On the other hand, on a proportional system a man represents those who elect him, and may be expected to be in far closer personal touch with those with whom he is in sympathy. The size of the constituency in this connection is of small importance; each member will have a very fair knowledge who his supporters are, and he will not be expected to exchange unmeaning civilities with opponents. And, at the same time, he will be more truly under democratic control, for he will be liable to dismissal by his own electors, and not, as now, by a small percentage of those who voted for him and now transfer their support to an opponent."

QUOTATIONS FROM " THE EXPERIMENT WITH DEMOCRACY IN CENTRAL EUROPE "

By

ARNOLD JOHN ZURCHER

Assistant Professor of Political Science, New York University

" In Czecho-Slovakia there are twenty-two districts with from six to forty-five deputies to each. Poland, Finland, Estonia, Lithuania, Austria and Germany all employed the ' list ' system of Proportional Representation. In most cases the elector is not even permitted to arrange the order of the names of the candidates, the list being regarded as strictly binding."

" Under the laws, any small group of citizens may draft a list and submit it to the electorate of a district. In Poland the number need not exceed fifty. In Finland, Czecho-Slovakia and Austria it need not exceed one hundred and in the German Reich, five hundred. That many such small groups take advantage of this opportunity is beyond doubt; indeed the mushroom growth of local or splinter parties has become the bane of the proportional representation system in Germany and the Baltic states."

" Special attention must be given to the system of apportioning seats in the German Reich. Instead of determining electoral quotas by D'Hondt or

Hagenbach-Bischoff formulas, Germany has adopted a fixed or automatic quota. Every block of 60,000 votes cast for a party list in a German electoral district entitles that list to one deputy in the Reichstag. Provision is also made for surplus votes. An aggregate of less than 60,000 votes in an electoral district may be combined with similar aggregates belonging to the same party in a limited number of districts. These pooled votes then secure further representation at the rate of one deputy for every 60,000 votes. Finally the surplus votes of the same party in local districts not pooled in a combined district, may be added together to form a national pool. From this national pool still further representation is accorded, again at the rate of one deputy for every 60,000 votes. The seats secured by the parties from the national pool of surplus votes must be awarded to candidates who have appeared upon national lists. National lists, like the local lists, are formulated before the election but the names of the candidates do not appear upon a ballot."

"A major feature of the new electoral laws about which a great deal has been heard since 1925 is the provision designed to discourage the growth of splinter parties. The Theoretical criticism of proportional representation has been more positively substantiated in practice than the charge that it would balkanize the party structure. Both the number of parties offering lists of candidates and the number of lists winning seats in the legislature increased in the several states with each election after 1920. This observation is particularly applicable to Germany. In the elections to the Weimar Assembly, ten party lists secured representation and nineteen did not; in the Reichstag elections of May, 1928, fifteen parties secured representation and twenty-three did not, and in the Reichstag elections of September, 1930, sixteen parties secured seats and twenty-one did not. In a decade, therefore, the parties represented in the German legislature increased by more than fifty per cent and the number offering lists in the election increased by more than twenty-seven per cent. The number of parties offering lists in national elections increased at an even greater rate in Latvia in the decade after 1920. In the elections to the Saeima in 1928, a total of forty-three parties and electoral unions presented candidates to the voter. Estonia and Poland are also among the states which have been seriously affected by this tendency to increase the number of active party organizations."

"As we shall see later, this disintegration of the party structure has had some highly undesirable effects upon normal political life, especially upon the system of cabinet government."

" In February, 1926, Estonia revised its electoral law and included certain radical provisions to discourage the growth of small parties. It is now necessary in that state for the sponsors of a list to deposit with the central electoral commission a stipulated sum of money which is forfeited to the public treasury in case the list secures no seats in the ensuing election. Further than this, it is provided that any party list which secures only one seat in the whole of Estonia shall be deprived of that seat."

"A final reason why proportional representation is not likely to be abandoned soon is that fact that it is exactly suited to the exigencies of a multiple system of parties. After allowing for any artificial increase in their number, for which the system is itself responsible, it remains true that a large number of parties, comparatively equal in electoral strength, is a normal condition in Continental states. This being true, the only feasible electoral system is one which assures each of them seats in the legislature in proportion to their electoral following. Apparently most of the large parties in the several states accept this as sound doctrine. The only exceptions are to be found among reactionary groups who refuse to accept the implications of the democratic system or among such parties as the National Socialists in Germany who believe in dictatorship."

"On the whole, it may be concluded that the new electoral laws are among the most successful institutions which the post-war constitutions introduced in Central Europe."

PROPORTIONAL REPRESENTATION

By GEORGE HORWILL, B.Sc. (Econ.), 1925

UNDERLYING MOTIVES OF P.R.

(1) *Minority Egotism*

Mr. Horwill says:—

"Minorities that profess faith in P.R. when they are in opposition lose faith in that system directly they become majorities or are likely to become majorities. This is apparently true of all parties. Labour Governments in Australia, advocates of P.R., when minorities have refused to endorse that system when in power, and

"The nature of the political belief makes no difference: Conservatives, Liberals, Socialists are all to be found in the pro-P.R. camp in those countries where they are in a small minority, and they are all to be found in the anti-P.R. camp in countries where they are in the majority."

"Practically all advocates of the P.R. electoral system refer to Tasmania as an outstanding example of a country that has adopted Proportional Representation and entirely approves of that system. The State is divided into five electoral districts, averaging seventy miles from North to South and eighty miles from East to West. Each electoral district forms one political constituency and it is represented by six members in the State Parliament. The names of all the candidates in each constituency are printed on the ballot paper. The elector must vote for the candidates of his choice by putting figures 1, 2, 3, etc., against their names according to his preference. The counting of the votes is said to be the most interesting and intricate part of the process. Sometimes 6, 7 or even up to 14 counts had been necessary, occupying periods ranging up to five or more days. The quota is ascertained under the Droop system and is arrived at as follows: The total number of the ballot papers is divided by the number of candidates to be elected plus one, and one added to the result. Any candidate receiving the quota is at once elected and the quota only is used. The excess ballot papers of the candidate are recounted and given to the candidates who receive the second preference votes indicated by the figure 2. This method is continued to the third preference. This is, however, a very simplified way of expressing what really happens. The actual method is very much more intricate."

Mr. Horwill says:—

"A serious defect of Proportional Representation is a tendency to split combinations of persons who hold similar views on general matters into small groups with strong views on separate and less important subjects. In P.R. there appears to be a tendency towards the formation of small parties interested in some particular subject."

Mr. Horwill points out that the formation of groups is proceeding very rapidly in nations which have adopted P.R.

"In 1900 political life in Belgium was comparatively simple and there were two great political parties, the Liberals and the Catholic Conservatives, the one pursued modern democratic tendencies while the other was stoutly conservative. Belgium adopted the d'Hondt system of P.R. 1900. Under this system the different parties submit lists of their candidates. In 1922, after twenty years of P.R. development, although the great parties submitted lists

in all districts, no fewer than forty-five different parties and groups were formed among the electors for the election of 96 members. The members elected consisted of ten groups as follows:—Roman Catholics 32; Anti-revolutionary Party 16; Christian Historic 11; Liberty League 10; Social Democrats 20; Revolutionary Socialists 2; and Radical Party 5. Majority party government became difficult enough after this election, says Mr. Horwill, but the elections of April, 1925, made it impossible. In this election the whole Chamber had to seek re-election. The results, after adjustments, were:— Socialists 78; Catholics 78; Liberals 23; Front Party 6; Communists 2. The difficulty of forming a Government was now apparent. Two months have now passed since the Belgian Parliament met, and still it has no responsible Government. M. Vandervelde, the Socialist deputy, was the first to try to form a Cabinet. He failed. M. Van de Vyvere, a Catholic deputy, hit upon Pelham's idea of a ministry of all talents. He said: 'Mine will be an administrative Government from which party politics will be excluded.' The Catholics supported him, but the others combined and prevented his Cabinet lasting more than ten days. M. Max then tried his hand at Cabinet forming, and he failed. At the time of writing (June 17th) Viscount Poullet, a Liberal deputy, is attempting the difficult task, but so far has not succeeded."

Mr. Horwill further says:—

"The P.R. results in the countries mentioned, (Belgium, Sweden, Switzerland, Poland, Netherlands, Denmark, Finland, Norway and Estonia), show that P.R. has made a stable majority—Government impossible in countries where it existed before P.R. was introduced. A stable Government representing a general majority opinion may indeed be defective. In operation it may sometimes be distasteful to minority and majority alike, but it is effective; it does maintain stability in Social relationships; it does give that security necessary for continuous development. Italy has not been mentioned because its policy deserves special attention. The elections of 1913 were conducted by the ordinary majority political method of election and the results were as follows: Constitutionalists 318; Radicals 70; Republicans 16; Socialists 77; Syndicalists 3; Catholics 24. At this period majority government was at any rate real. On January 19, 1919, a new Catholic Party, known as the Popular Party, arose with the sanction of the Vatican and it advocated P.R. As a result the P.R. method was applied in elections of 1919. The results were: Socialists 156; Liberals and Conservatives 132; Catholics 101; Democrats 80; Social Reformers 16; Republicans 15; Giolittians 8. No party now had a majority. P.R. destroyed the hope of majority government and stimulated minority conflicts to such a degree that ultimately physical force minorities assumed dictatorship. The fascists then used P.R. to stabilize minority dictatorship: The law of November 18, 1923, turned the whole country into one constituency divided into fifteen districts, and it permitted a single party which obtained 25 per cent of the votes cast to appropriate two-thirds the seats in the Chamber. This indicates the great social dangers which P.R. stimulates. It shows that minorities can not only prevent majority rule, but that it can enforce minority dictatorship."

> (Sir John Fischer Williams writing in 1921 says:—"In 1919 Italy adopted a thorough-going system of proportional representation for the Chamber of Deputies—a system of great interest to the political world and one for which its supporters may claim that it represents the results of the gathered political experience of the last twenty years.")

"P.R. emphasizes and multiplies these causes of group formation. The French Chamber adopted P.R. in 1919. In the May elections, 1924, there were, in Paris alone, 42 lists containing 568 candidates, although there were only 56

to be elected. For the whole country there were 2,500 candidates for 626 vacancies. This tendency towards group formation, expressed in so short a time, has caused French politicians to move the abolition of the P.R. electoral method and the French Senate on August 24, 1924, voted the restoration of the single-membered constituency method of election."

Speaking of the probable result of the adoption of a group system of P.R. in Great Britain, Mr. Horwill says:—

"The result would be internecine conflict and corrupt bargaining. Majority rule would soon cease, the groups would become too numerous. We should have unceasing coalitions. Groups would obtain concessions out of proportion to their just requirements and completely contrary to the wishes of the majority. Groups would fight for their single interests, bargain for them, obstruct for them. With a majority in Parliament, returned by different minority groups, obstruction would be the rule. Combinations of minorities would counter other combinations. Such coalitions would never be stable, but would re-form on every important question which arose. Majority legislation would be prevented."

Mr. Horwill also quotes with approval M. Renouvier as follows:

"Opinions, special interests, exclusive proposals, progressive and reactionary schools of thought, would all organize groups of electors to the required number and often succeed in electing their candidates.... But the result would be an anarchial assembly, which would not reflect the average opinions and desires, and which, through its consequent inability to perform its legislative functions, would soon give place to some form of usurped authority."

To quote Mr. Horwill again:—

"Governments in a minority, or only a bare majority, can never make real progress, and a country which is stationary is destined to disruption of decay. The fact that majorities are exaggerated does not injure social life but quickens it. It enables a Government to gain the experience of action more quickly. It enables it to test its theories, and forces on it the responsibility of keeping a clearer look-out for pitfalls or anti-social action. An under-representation of minorities only serves to force them to greater efforts to convert a majority—an excellent tonic if viewed from the point of view of social evolution. Exaggerated majorities lessen conflicts, which so hamper legislation, in the governing Chamber, and to that extent is preferable to mathematical accuracy. Mathematical accuracy in representation is unsound and socially disruptive, because, pushed to the extreme limit, it would involve the representation of criminals and other anti-social people: human ideas and opinions are dynamic, continually moving, and cannot be divided, subdivided, and reduced to strict mathematical formula."

Mr. Horwill quotes some very illuminating figures on Pages 75 to 78 inclusive.

"P.R. advocates fear the majority; they fear oppression and tyranny which majorities might use. What is the alternative? Minorities in Parliament will fight each other. When combined minorities form a majority, fighting and struggling will be the rule. Forceful, energetic minorities will then seize power, and the majority will experience oppression at their hands. It is a fateful moment in social evolution. We have to choose either to train the majority so that a social mentality can be created whereby co-operation can play the major part of social life, or else—dictatorship of a minority. The present system enables the former, if we can seize its advantages; P.R. the latter."

Proportional Representation In Germany

With regard to Germany, Mr. Herman Finer, D.Sc., (Econ., London) says, in "Fabian Tract No. 211":—

"The German Republic began with the most fervent doctrinaire belief in the virtue of proportional representation. By 1932, after eleven elections, all

but the old men with safe seats in the Reichstag demanded either its abolition or reforms detracting from its much-vaunted accuracy of representation. Hitler's abolition of other parties was one consequence of popular resentment easily inflammable against the ineptitude of a Reichstag composed of thirty parties. And there were thirty parties because, owing to P.R., each was entrenched in its own fortified 'Quota' dug-out."

In the report of the Proportional Representation Society (May, 1932, to April, 1933) referring to the operation of P.R. in Germany, it is said:—

"It is the more necessary to examine the circumstances leading to the fall of parliamentary government in Germany because proportional representation was in use, and it has been asserted by many that the fall was due to the effects of P.R. The proportional system was not of the British type; it was different from the single transferable vote, with the free expression of choices which the latter affords. The German system was very rigid in form. The elector could vote only for a party as such: Each party was given a number. The elector voted for, say List No. 1, or List No. 5, or some other individual list; he could not vary names on the list or the order in which they appeared.

The constituencies in which P.R. operated *were much larger than is proposed in Great Britain,* so that a constituency of average size (5,200 square miles) would be as large as Kent, Surrey, Sussex and Hampshire all rolled into one. This fact, *coupled with the impersonal method of voting,* was said to disassociate the elector too much from the representatives of his constituency and to diminish his feeling of personally playing his part in the machinery of self government."

HOUSE OF COMMONS, ROOM 429,

March 10, 1936.

Special committee appointed to study the Dominion Elections Act, 1934, and the amendments thereto, and the Dominion Franchise Act, 1934, and amendments thereto, met in room 429 at 11 a.m. Mr. Bothwell, the chairman, presiding.

The CHAIRMAN: Gentlemen, we have a quorum and if you come to order we shall proceed. I should like to mention a matter in connection with the evidence that was taken last day. During the proceedings last day the "point" system came up, and Mr. Stevens, you will remember, handed in a form of the "point" system as evolved by Messrs. W. L. Eddy and S. M. Spidell. I notice that in the proceedings at page 23 some objection was taken to it being printed at this time. The objection was raised by Mr. MacNicol. I am entirely in the hands of the committee in this regard. I think this is, possibly, a form of proportional representation, and we might want to have some evidence in that regard before us later on. If it is the desire of the committee we can have it printed as an appendix to the report of to-day's proceedings.

Mr. HEAPS: Mr. Chairman, if you are going to have forms of proportional representation entered into the proceedings, I think they should all go in and not one only.

Mr. MCINTOSH: Where is this from?

The CHAIRMAN: Mr. Stevens presented it.

Hon. Mr. STEVENS: Mr. Chairman, it is not quite correct to say it is a form of proportional representation; it is really a system in itself. I am not particular or dogmatically advocating it, but I certainly think it is entitled to consideration. One would almost think it was poison or something, judging from the comments. Why rule it out? My understanding of it was that it was to go in with the other records last session. I see no reason why there should be any objection to it. It is a rather interesting suggestion, and surely the committee is bound to consider the matter. I cannot conceive of any reason why it should be objected to.

Mr. HEAPS: I am not objecting; but I think the proper time for it to go into the proceedings would be when we have all the systems together, and have considered them one after another. I do not think we should put in one system now and another at some other time. That is not the proper way to do it, that is all.

Mr. MCINTOSH: What difference would it make if what Mr. Stevens wishes to present is inserted in the proceedings now, rather than later. I do not see that it would make any difference. If you are going to put it in, let us know about it.

Mr. MACNICOL: What I had in mind, Mr. Chairman, was this: if a number of systems are to be considered it would be much better to consider them all at one time, and not interject any particular system at a time when the others are not being considered. I felt that impressions might be gathered if any particular system was interjected at any particular time that would not be gathered if all the systems were discussed on or about the same time.

Hon. Mr. STEVENS: We are discussing proportional representation and the transferable vote, and I do not know of any reason why there should be any objection to including this in the record for consideration at this time.

Mr. CAMERON: I do not see that it would make any possible difference when any particular system went in. We are not children; we are not going to be carried away because it goes in on Tuesday instead of Friday. I think it might as well be disposed of now, and put in as an exhibit.

The CHAIRMAN: Let us have a motion to that effect.

Mr. MCINTOSH: I move that it be inserted.

Mr. CAMERON: I second the motion.

The CHAIRMAN: Is there any discussion?

Mr. MACNICOL: I should like to say, if this motion is adopted, that every other system under the sun that any member of the committee wishes to bring forward shall be dealt with in the same way.

The CHAIRMAN: I think we shall have to study the various schemes before we are through with the work of this committee.

Mr. MACNICOL: Systems brought forward by each member.

The CHAIRMAN: Yes.

(See appendix to this day's evidence.)

The CHAIRMAN: At the last session of the committee we—

Mr. GLEN: Before you leave that, Mr. Chairman, I should like to say this: Mr. MacNicol suggested that in the event of any member bringing forward any other proposition, it would be adopted. Are we going to hunt through all the copies of the proceedings to find out the different systems and then make some suggestions in regard to them? I think we should group them altogether and then decide whether we shall put them in the record or not, rather than bring one forward today and another one at the next meeting and so on.

The CHAIRMAN: I think possibly you are right.

Mr. GLEN: I think that is Mr. MacNicol's position. If that were done, I think we would be in a position to judge.

Mr. HEAPS: I think the motion has been approved. The little pamphlet that is before us will now appear.

The CHAIRMAN: It is going to be printed as an appendix to today's proceedings. We shall now leave it and deal with the others afterwards. It is our intention this morning to hear Colonel Thompson in connection with shortening of the proceedings for holding by-elections; also Mr. Castonguay.

Mr. HEAPS: What was the first item of business this morning, Mr. Chairman?

The CHAIRMAN: Our order of business this morning has to do with by-elections, revision of lists and conduct of by-elections.

COLONEL JOHN THOMPSON called.

By the Chairman:

Q. Colonel Thompson, you are Dominion Franchise Commissioner?—A. Yes.

Q. Just explain what studies you have made of the Act and how you think by-elections can be conducted on the lists as we have them now?—A. Mr. Chairman, and gentlemen, I prepared two plans in regard to the holding of by-elections. Both plans provide for a considerable abridgment of the time in which by-elections can be held after vacancies occur. With regard to the urban elections, or elections in by-elections where there are urban polls, there is one scheme prepared; that is, where all the riding is urban or part urban and part rural; and one plan with regard to the rural. There are two plans offered for your consideration. My suggestions are as follows, and they appear in the form of a

letter to Mr. Butcher: You have asked me for suggestions in connection with a proposed amendment to the Dominion Franchise Act to provide for a revision of the list of electors in those electoral districts in which a by-election may become necessary up to the time of the next revision, namely, April, 1937.

The following suggestions are made on the supposition that the amendment is merely to provide for the revision in the event of by-elections occurring prior to the first of April, 1937, but not thereafter; unless the Dominion Franchise Act should in the meantime be further amended.

If the following amendment were approved, the new revised list of electors of any electoral district affected could be prepared and could be available for the candidates after the issue of the writ. I would observe that appropriate forms would of course have to be prepared and printed.

I suggest as follows:—

I might say that schedule B of section 17 was the section which was in force that far, and which was in force when the general enumeration was made in 1934.

1. Rural Polling Divisions:

The revision in rural polling divisions would follow in a general way the rules laid down in schedule B to Section 17 of the Dominion Franchise Act, the procedure being as follows:—

(*a*) Immediately upon a vacancy occurring in an electoral district, the Franchise Commissioner forthwith to instruct the Registrar of electors of the electoral district in question to proceed with a revision of the list of electors in the electoral district as soon as he has been notified by the Dominion Franchise Commissioner that the writ has been issued.

(*b*) As was provided in schedule B to section 17 of the Statute, the Registrar of Electors to appoint a revising officer in each polling division.

(NOTE—As a matter of procedure the Registrar of Electors, as soon as the amendment comes into force, would ascertain the names of suitable revising officers for each polling division in his electoral district; such revising officers, as provided in schedule B to section 17 of the Statute to reside, except in exceptional circumstances, in the polling division in which each is appointed to revise the list).

(*c*) The Registrar of Electors to be provided with one or more copies of the revised list of electors (1935).

(*d*) The Registrar of Electors to at once prepare sufficient copies of an amended notice of revision (Form 17) for distribution among the revising officers.

(*e*) The Registrar of Electors to send to each revising officer sufficient copies of the revised list of electors (1935) and an amended notice of revision (Form 17).

(*f*) The Revising Officer to at once delete from the revised list of electors (1935) in his polling division the names of those electors who are deceased or have removed from the polling division, or are otherwise disqualified; and also to correct the errors, if any, on the revised list of electors (1935).

(*g*) The Revising Officer to attach to the copy of the revised list of electors (1935) the names of all those who in his opinion are qualified to be added to the newly revised list, as well as their addresses and occupation.

(*h*) The Revising Officer thereupon to post his notice of revision as well as the revised list of electors (1935) with the additions thereto at the place where he will hold the revision: the Revising Officer also to post at least six copies of his notice of revision in the post office, if any, and other conspicuous places in the polling division.

(*i*) The revision by the Revising Officer to be held in the polling division on three successive days after the expiration of one week from the posting of the notice.

(*j*) The Revising Officer at such revision shall receive such applications as may be made to him and shall consider all objections to any name or names remaining on the revised list of electors (1935), or on the list which he has attached thereto.

(*k*) The Revising Officer shall at the end of such revision prepare and post, and keep posted, until after the by-election has been held, his certified list of electors: Such certified list to be at all reasonable times available for inspection until after the by-election has been held.

I might say that is an entirely new provision to meet a number of complaints made in rural districts that the people residing there had no means of knowing whether they were on the list or not prior to an election coming on.

(1) The Revising Officer shall prepare the necessary number of certified copies of the revised list of electors in his polling division for distribution as follows:—

One copy to be retained for delivery to the Deputy Returning Officer for the polling division;

One copy to be retained by himself for posting up in his office;

One copy for each of the candidates in the forthcoming by-election;

One copy for the Returning Officer of the electoral district;

One copy for the Registrar of Electors of the electoral district.

(*m*) As a matter of procedure the newly revised list of electors to be typewritten wherever possible.

Now, that is one plan; with regard to rural polling divisions.

By Mr. Glen:

Q. Do you invite questions now or at a later stage?—A. Perhaps now would be as good a time as any.

Q. Have you taken into consideration the question of advertising to take the place of posting notices in post offices throughout the polling district. I find this, that a great many people while they may see these notices do not read them. Would it be possible to use newspaper advertising instead.

Hon. Mr. STEWART: Mr. Chairman, I was going to raise that same point. In the old days everybody went to the post offices, but now we have rural mail service and the post office is not of much use as a central point for publicity purposes.

WITNESS: As a matter of fact this is badly printed; I have provided for that "here in the post office if any"—as well as any "other conspicuous place in his polling division."

Mr. GLEN: Personally I think the daily or local newspaper is the best medium through which to reach people in the rural districts.

By Mr. Heaps:

Q. Will you explain to me how this thing works, say in the next by-election in a rural constituency; how much time is required?—A. There is comparatively brief notice of revision got out by the registrar. He sends this to the revising officer in each polling division—a sufficient number for posting up.

By Mr. MacNicol:

Q. That is for a by-election?—A. That is for a by-election. And to each polling division revising officer he sends several copies of the revised list of electors. Then the revising officer, there appointed, prepares a new list. He prepares that new list by striking out those who have moved away, or those who have died; makes all possible corrections. He prepares a list of those who have qualified since the revised list of 1935 was made.

Q. Supposing a by-election was held in a rural riding, such as Lanark, Hastings or Perth?—A. You mean, all rural?

Q. Yes; is there a revision to take place; when does the revision take place?—A. After the second of July.

Q. But, I mean before the first of July?—A. Oh, that would be held on the 1935 list.

Q. Yes?—A. Supposing there has been no amendment to the Franchise Act of 1935, the 1935 list in any event would be in force until some time after the 15th of August.

Q. After July 1st there would have to be a revision?—A. You mean, for a by-election?

Q. For a by-election?—A. Yes.

Hon. Mr. STEWART: Supposing no part of the Act had been amended.

By Mr. MacNicol:

Q. Supposing the by-election would take place in September, this fall, would there have to be a revision of the lists for that?

Hon. Mr. STEWART: Yes.

WITNESS: There would have to be a revision for that.

By Mr. Heaps:

Q. How would a revision take place; by enumeration, or by personal registration?—A. The original list of 1935 stands, except where the revising officer corrects it.

Q. By what means does he revise his lists, how does he see that they are correct?—A. You see, the rural polling district is comparatively small and their task is comparatively simple.

Q. How would it apply to a rural constituency?—A. Not "constituency," rather "polling division."

Q. I thought you said a rural constituency?—A. I may have said "constituency," but if I did so I was speaking incorrectly; I mean, any electoral district where there is a rural polling division.

Q. Under the present proposal how long does it take for a by-election to get under way?—A. Under this suggestion?

Q. Under the present system.

Hon. Mr. STEWART: Under the present system there does not have to be any revision at all; there would not have to be any revision under the present Act until after July 1st. No revision would be required except the regular revision which takes place every year.

Mr. MACNICOL: Polling revision takes place automatically during April, May, June and July.

Mr. MACNICOL: If a by-election were to take place this fall, say in the riding of Perth; would there be a revision?

Hon. Mr. STEWART: Yes.

WITNESS: There would have to be a revision for that.

Hon. Mr. STEWART: Not if the Act had been left as it was.

WITNESS: There would be now, if this amendment carries.

Mr. MacNicol: Never mind the amendment.

Witness: Supposing there was no further legislation, there would be no revision.

By Mr. MacNicol:

Q. Under the present Act there will be no revision until at least April, May and June next?—A. That is true; until there is a further amendment made.

By Mr. Heaps:

Q. Under these proposals how long would it take for the preparation of lists for a by-election?—A. It would take from 25 to 28 days.

Q. I am afraid I don't quite get that; you said it would have to be one month after the expiration of notice, or something would have to take place?—A. I don't think so, it would not be much more than 30 days at any event. I will give you a resume of the steps and the times.

Q. Yes?—A. All right. Four days after the writ for the by-election is issued notice would be posted up. These notices of revision would remain posted for the next following four days.

By the Chairman:

Q. Just one question there. Take, for instance, an election being called we will say up in some constituency in British Columbia; you have only got four days there as the time within which these lists have to be posted up?—A. In a case like that it would be wired, do you see; it would take too much time to forward notice by mail.

By Mr. McIntosh:

Q. In a final revision, whether it be for a by-election or a regular election, how many notices must be sent out by the registrar for a riding that is going to have a general and final revision of these lists?—A. That is, in the rural riding?

Q. In a by-election or an ordinary election—

The Chairman: I think if Colonel Thompson is permitted to finish the statement he has started it will clear up that point.

Witness: It will, Mr. Chairman. Supposing the writ issued on Tuesday, September 1, notice of revision would be posted on Friday, September 4; this notice remains posted Saturday, Sunday, Monday and Tuesday, September 5, 6, 7 and 8; sittings of court of the revision would be held on Wednesday, Thursday and Friday, September 9, 10 and 11; the hearing of objections etc. would be made on Saturday, Monday and Tuesday, September 12, 14 and 15; preparing of statement of changes, and typing final revised lists, would take place on Wednesday, Thursday and Friday, September 16, 17 and 18; now, this is in the urban, printing of lists would be done from Saturday to the following Friday, September 19, 21, 22, 23, 24 and 25; and the lists would be ready for distribution on Friday, September 25.

By Mr. Heaps:

Q. Apparently by the 25th you would have the whole thing done?—A. Yes.

Mr. Heaps: That is pretty fast work.

By Mr. McIntosh:

Q. My point is this. Do you anticipate any difficulty in having an election held 25 days from the date of the issue of the writ?—A. I do not think so; I think it can be done. Of course, supposing a case such as was pointed out with respect to British Columbia, the lists would have to be printed locally; they could not be brought down here and printed, and so on.

By Mr. MacNicol:

Q. In the time you have allocated have you allowed for final revision before a judge?—A. You mean, appeals to a judge?

Q. Yes.—A. That would take another three or four days. I have abridged the time, I am suggesting an abridgment here in regard to appeals.

Q. But the appeal court judge is not included in your schedule?—A. That is not included, no; as a matter of fact at the last general enumeration I think there were only four appeals. I do not think there were any in this last revision.

By Hon. Mr. Stevens:

Q. You have a pretty good idea of some of these extensive ridings, such as we have in places in the west like northern Saskatchewan; or take for instance Skeena—I think you have a very good knowledge of them, it is rather an extreme case—do you think it would be possible to do that job according to your schedule in a riding like Skeena or some of the ridings in the north?—A. I should think so. You could not have the lists printed, they would have to be typewritten. For instance, from a place like York Factory nobody could get the lists in to civilization to have them printed and sent back again in time. Typewritten lists would be handed to the deputy returning officer in a case like that.

Q. Take Skeena for instance, take the Queen Charlotte Islands—a place like Telegraph Creek and all those other different points in that riding—it would not be possible to get mail in there?—A. That might be, there might be some difficulty in respect to isolated parts of certain constituencies.

Mr. TURGEON: I might say for the information of the committee that I know of a case of a poll in my riding at which they had no warning or notice of the election at all until election morning.

Hon. Mr. STEVENS: In various ridings there are dozens of places you could not reach.

WITNESS: As a matter of fact we met that difficulty both with respect to enumeration as well as to the revision of the 1935 lists. We had about 15 outlying electoral districts where aeroplanes had to be used, and even then we found it was difficult to get the lists to these points. This proposal will, however, cover the vast majority of cases.

By Mr. McIntosh:

Q. Do you think that would be applicable in large northern constituencies if you did use the aeroplane, in that time?—A. Except in between seasons when a plane could not get in, yes. It would be expensive.

Q. The point I was trying to get at, Colonel Thompson, with regard to the final revision was this: I noticed in the North Battleford riding in the recent election that the constituency registrar just posted a certain number of notices that he was going finally to revise the list.—A. Yes.

Q. But half of the polling division never knew of the final revision.—A. Under this scheme it would not be the registrar. The revising officer will post one of these notices in every polling division, in his own polling division.

Q. That is better.—A. And to that list of electors he appends others that he thinks ought to be added.

Q. They will give the time, place, and so forth?—A. Yes, exactly, where he, himself, as assistant revising officer, is going to sit.

By Mr. Heaps:

Q. Would it not be desirable to make exceptions in certain cases?—A. There is general provision in the statute, the Franchise Act, for enlarging the time where it might be that the ordinary date set cannot be complied with.

Q. There is no need to rush the thing, if it is sometimes physically impossible to accomplish the purpose?—A. That is right. As a matter of fact, the time had to be enlarged in a number of these outlying districts. I think Shelley-Skeena was one and Churchill was another.

Hon. Mr. STEWART: I have spoken in the House to this question of by-elections and have given the matter some consideration. It seems to me the situation is this: If this Act had not been amended, disposing of a revision this year, it is perfectly clear what the procedure would be and we would abide by it. There would be a revision. I gather from what was said in the House that it is the intention of the Government to introduce a new Franchise Act that will probably materially alter the procedure for making up the lists, and that that will be done this session. If that is so, the only problem that we have before us is to consider what action should be taken to provide for a by-election that will be held in the meantime, or possibly before this Act comes into force. I thought I could draft a section, one section, that could take care of the situation. My ideas run along this line: In case a by-election should be held, we will say, before there is another Act brought in, the Governor in Council or the franchise officer should be authorized to take action for new enumeration.

Some HON. MEMBERS: Hear, hear.

Hon. Mr. STEWART: Start under the enumeration; never mind this revision at all. It is cumbersome. It is expensive. It is unsatisfactory. Why not provide that, in the case of a by-election, we will say in the year 1936—

Mr. MACNICOL: Or until the new Act is in force.

Hon. Mr. STEWART: —or until there is a new Act adopted, in case of a by-election, the Governor in Council or the franchise officer (I think he has the power) should proceed by enumeration in the manner provided in the Act now.

Mr. MACNICOL: Hear, hear.

Hon. Mr. STEWART: That is the idea I had in mind.

The CHAIRMAN: That is, an original enumeration such as we had in 1935.

Hon. Mr. STEWART: Exactly. Let us forget revision altogether.

Mr. MACNICOL: That covers it 100 per cent.

Mr. FACTOR: How long will it take to go through all the steps that are now provided by the Act?

Hon. Mr. STEWART: They are provided in the Act.

Mr. MACNICOL: How long does it take now for an original enumeration?

Hon. Mr. STEWART: That is what I was going to ask.

The CHAIRMAN: You would have to go back to October, 1934, when we had the original list made up.

Hon. Mr. STEWART: But we started with an enumeration under this Act and then had a revision. What I suggest is we should have enumeration and no revision.

By Mr. Factor:

Q. How long would it take to follow out Mr. Stewart's suggestion, to have enumeration as provided in the Act?—A. It depends upon the time it takes to get the lists printed, and so on.

Mr. MACNICOL: It takes three months, from the first of April to the first of July.

WITNESS: That was revision. Enumeration takes a shorter time. I think some of these periods allowed in the enumeration could be shortened.

The CHAIRMAN: I think, gentlemen, you should direct yourselves to the witness. Every member of the committee is becoming confused with so much talking.

Mr. GLEN: Can we get an answer to that question?

WITNESS: I could not tell you exactly what the average time was. I can find that out.

By Mr. Glen:

Q. What do you think of Mr. Stewart's suggestion?—A. It is very simple. I think it would be simpler still possibly with regard to the rural divisions, if we kept the rural separate from the urban polling divisions. My suggestion, or alternative suggestion, with regard to rural was that the 1935 lists should apply and should not be reprinted; and that when the election day came those who had since qualified should be entitled to vote as they were under the old Act of 1930.

By Mr. Turgeon:

Q. By affidavit on election day, you mean?—A. Yes, if vouched for. Of course, then you have not what we call closed lists, but it is very simple and costs nothing.

By Mr. Factor:

Q. What about those who have moved out or died since the list was made up? How would you remove them from the list?—A. That would be by affidavit, I suppose.

Mr. FACTOR: That is the unsatisfactory part of the present revision you would be carrying through in the by-election.

Mr. GLEN: It looks to me as though Mr. Stewart's suggestion is the better one for a by-election.

Hon. Mr. STEWART: You may not have to use it at all.

Mr. MCLEAN: According to Mr. Stewart's suggestion, we would be simply carrying out the procedure of 1930.

Hon. Mr. STEWART: No, 1934, if we started within this Act; if we started with enumeration in this Act.

Mr. MCLEAN: In the 1930 election we had enumeration.

Hon. Mr. STEWART: In 1934 we started with enumeration, yes.

Mr. MCLEAN: Yes.

WITNESS: That would be very simple, Mr. Stewart. I would suggest that possibly the committee might consider abridging the time with regard to residence qualification.

By Mr. Factor:

Q. What is it now?—A. Three months' residence in the constituency. Possibly the committee might consider one month or residence in the electoral district at the time that the enumeration is being made. All that would be necessary with regard to the Franchise Act would be to change the dates, use the provision to change the dates.

Hon. Mr. STEVENS: Mr. Chairman, it strikes me that we have come to a point here that warrants a suggestion which I am going to make at this time. My suggestion is that this thing that we are now discussing is pretty technical and could very much better be studied by a sub-committee, where they could sit around the table, particularly a committee of a few who are themselves well acquainted with the Act. Personally, I should be very pleased to accept

the decision of the sub-committee on the matter. We have just one point which I think we in this committee ought to consider now, and that is the principle. The present Act is based upon a very definite principle, the principle of a permanent list as distinct from anything we have had in the past. The question, I think, that the committee ought to determine is this: Are we as a committee prepared to stand by the principle of a permanent list?

Mr. MacNicol: No.

Hon. Mr. Stevens: Or is it the view of the committee that we should abandon the principle of the permanent list and adopt a new system? If Mr. Stewart's suggestion is accepted—

Mr. Factor: Pardon me, you are talking about by-elections?

Hon. Mr. Stevens: I was just going to make that point right now. If Mr. Stewart's suggestion is accepted, while it is true it applies to by-elections, nevertheless it does abandon or depart from the principle of the permanent list. I mean, we might as well face that.

Hon. Mr. Stewart: Only, Mr. Stevens, because we have departed from it this year by the amendment.

Hon. Mr. Stevens: I agree.

Hon. Mr. Stewart: That is all; it is only because of that Act.

Hon. Mr. Stevens: I do think that we and parliament must come to a decision on that point.

Hon. Mr. Stewart: Certainly.

Hon. Mr. Stevens: It is a definite fundamental principle. I am only stating my own view, but I am inclined to think that a permanent list, a federal list, is a desirable thing. I believe, however, that that is not in accordance with the views of a great many. I am just expressing my own views. If we postulate a permanent list as being a desirable thing, then, in my opinion, we should not depart from it if we can possibly avoid it. I do think that an amendment could be drafted along the line that Colonel Thompson has been discussing, that we provide for by-elections both rural and urban and still maintain the idea of a permanent list. It strikes me that we should take the point first: Are we going to stand by the principle of a permanent list or are we not?

The Chairman: Would you express some opinion in connection with permanent revision instead of yearly revision of the list, continuous revision?

Hon. Mr. Stevens: I am not dogmatizing on it, but it is my view that we should stand by the permanent list and have an annual or semi-annual revision. That is my view. I think that by-elections should be held upon the latest revision of that permanent list. That has been done for thirty years in British Columbia. I think Mr. Turgeon has had a good deal of experience with it. I do not know whether he will agree with me, but I think that the system has worked fairly satisfactorily there. Personally I favour that system, with a permanent list, revised, if you like, every six months, but I think every year perhaps would be sufficient; and then your by-election held upon the latest revision of that list, whatever it may be. There may be some injustices, but you are going to find the presence of a certain amount of injustice almost anywhere.

Mr. Factor: How would you provide for a by-election that might take place between now and say the 1st of April, 1937?

Hon. Mr. Stevens: The bill passed the House of Commons, but it has not passed the Senate yet. As far as the law now stands, we should be carrying out a revision this year. That is the law.

Mr. Factor: Do you know, if the bill passes and it is law, what will happen if a by-election takes place between now and the 1st of April?

Mr. MacNicol: That is what we are trying to find out now.

Hon. Mr. Stewart: Under the law as it stands, subject to correction by the lawyers or others who are more acquainted with it than I am, you would take a by-election under the existing list. I think that is correct.

Mr. Factor: That is correct.

Hon. Mr. Stevens: That is without any interference or any further act on our part. But it does not prevent us from considering ways and means of dealing with by-elections along the lines suggested by Colonel Thompson. I do think we must recognize the principle that is involved. I would suggest, Mr. Chairman, first we should determine that principle, and secondly we should then remit this question to a sub-committee, a very small one of four or five, and let them later report to this committee on this particular point. That is the suggestion I would make.

Mr. Turgeon: I should like to say one word. I both agree and disagree with some of the suggestions of Mr. Stevens. I think we have two distinct problems here, and that one arises out of the other. There is apparently in the Commons a general feeling that the Franchise Act and Elections Act should be changed and amended right away, and that creates a problem. The problem is how we are going to deal with a by-election that might come more or less suddenly. I do not think that we have to consider, Mr. Stevens, the question of the permanent list as a matter of principle in order to deal with the other question of the emergency by-election.

Hon. Mr. Stewart: That is not what I had in mind.

Mr. Turgeon: I suggest this, that we appoint a sub-committee for the purpose purely of providing an amendment to be inserted that, notwithstanding any of the provisions of the act which will leave it as it is, if a by-election should occur within such and such a time, the following should be the procedure, and I am inclined to like Mr. Stewart's procedure, perhaps added to by the alternative suggestion of Colonel Thompson. Both might be made applicable. But I do not think that we have to order the committee's line of procedure on the application of the general principle when they are dealing only with provisions for a by-election. That would be my suggestion. Then we could go back; and I should be glad, as part of a general committee, to take part in any discussion of the principle of a permanent list, one way or another. But I think our committee should be relieved of that and instructed simply to make a recommendation providing for an emergency election.

Mr. MacNicol: That, Mr. Chairman, is the purpose of the committee, is it not?

The Chairman: Yes.

Mr. MacNicol: The House itself apparently was unanimous, or largely unanimous, that the present act should be abolished, and that a new Act should be substituted. It was with that apparent unanimity that the question as to how to provide for a by-election came up before the House. Personally, I endorse very largely Mr. Stewart's suggestion.

The Chairman: That is the only matter that is before the committee at the moment. Of course, we have the broader question of studying the whole Election Act, and the important thing for this committee to do is to figure out some way of holding by-elections as speedily as possible.

Mr. MacNicol: I support the suggestion of Mr. Stewart and also that of Mr. Stevens that a small sub-committee of this committee be named to draft a recommendation to the whole committee as to what is to be done for the holding of by-elections. There may not be one held before we have the new Act prepared, but in the event of one being held, the work of this committee is to provide primarily, apparently, for the machinery under which a by-election shall be held; and I think that is the first thing for us to do.

Mr. FACTOR: In co-operation with Colonel Thompson.

Hon. Mr. STEVENS: May I put this matter in the form of a motion, if the clerk would not mind jotting it down.

The CHAIRMAN: I presume the appointment of that sub-committee will be by nomination by various members here?

Mr. FACTOR: Mr. Chairman, I suggest that you appoint the committee, and notify the appointees later.

The CHAIRMAN: I will accept that duty if you would sooner have it done that way. Will it be necessary for us to proceed further in the taking of evidence from Colonel Thompson or from Mr. Castonguay or from Mr. Butcher at this time? We can have these gentlemen before the sub-committee.

Mr. HEAPS: Colonel Thompson has now got as far as the question of urban matters.

Mr. MACNICOL: The sub-committee would have power to call all three.

Hon. Mr. STEVENS: Absolutely.

The CHAIRMAN: I think, possibly, that in selecting this committee I had better take a few minutes to do it.

Mr. GLEN: You do not need to do it now.

By Mr. Glen:

Q. Colonel Thompson, have you some other matters other than this to present, or are you finished?—A. I have the urban question. I might say that that scheme I was outlining is really an enumeration in the rural districts.

The CHAIRMAN: Is there anything else this morning—any question which any member wants to bring up; or is there any suggestion to be made?

The Committee adjourned to the call of the Chair.

APPENDIX

Re-arm The Electorate!

By W. L. Eddy and S. M. Spidell, Central Butte, Sask.

Our Saskatchewan Government represents about 50 per cent of the electorate. Will the Dominion Government represent 30 per cent of the people of Canada after October 14? Are we going to be ruled by a minority?

We wish to bring to the attention of the people a new method of counting the transferable ballot whereby the whole electorate will be represented fairly. Below we show the results of voting using three different systems. The candidates are Brown, Robb, Jones and Smith. Under the present system of voting Brown is elected but represents only 40 per cent of the electorate. Under the Alberta system, as recently explained in the Montreal Witness, Robb is elected, although he represents only 30 per cent of the electorate as first choice, 5 per cent as second choice and 16 per cent as third choice. By the new method which we advocate Smith would be elected and we will show that he represents more fairly the majority of the electorate, although, the Alberta system would drop him out on the first count.

We shall criticize each system in turn.

The present system stands condemned as shown, without further argument. Taking 100 as the total number of ballots cast.

Present system:—

	Elected
Brown	40
Robb	30
Jones	20
Smith	10

The Alberta system is an improvement on this but still unfair. In this system the ballots are marked, first, second, third and fourth choice. Taking 100 ballots the results would be tabulated as follows:—

First count—First choice

Brown	40
Robb	30
Jones	20
Smith	10

Smith is now dropped out and his ten votes are distributed among Brown, Robb and Jones by reference to the second choices.

Second count:—

Brown	40 and 2 from Smith	42
Robb	30 and 5 from Smith	35
Jones	20 and 3 from Smith	23

Smith—dropped out.

Jones is low man and is now dropped out and his votes distributed between Brown and Robb by reference to the second and third choices on his ballots.

Third count:—

Brown	42 and 7 from Jones	49
Robb	35 and 16 from Jones	51

Robb is now elected.

Under the Point System the same 100 votes, as marked for choices in the Alberta system, would be tabulated showing the number of each candidate's first, second, third and fourth choices as follows:—

	First	Second	Third	Fourth
Brown..	40	5	5	50 — 100
Robb..	30	5	25	40 — 100
Jones..	20	10	65	5 — 100
Smith..	10	80	5	5 — 100
	100	100	100	100

Although only 10 per cent of the electorate chose Smith as their first choice, 80 per cent of the people wished to have Smith as their representative if they failed to elect their own candidate. Therefore he represents more fairly than any other the whole electorate.

In valuing this ballot we allow 4 points for first choice, 3 points for second, 2 points for third and 1 point for fourth. The results would then be tabulated as follows:—

Brown. . . .	160	15	10	50 — 235 points
Robb.	120	15	50	40 — 225 points
Jones.	80	30	130	5 — 245 points
Smith. . . .	40	240	10	5 — 295 points

This shows clearly that Smith is the majority choice. This can be proved in another way.

By holding elections between any and every two of the above candidates separately and dropping the low man each time Smith would be elected. To further explain this we will show all possible elections held one after the other the same 100 people voting each time.

Brown vs. Robb
Brown vs. Jones
Brown vs. Smith
Robb vs. Jones
Robb vs. Smith
Jones vs. Smith

It does not matter when or against whom Smith runs he will always be elected since he will be backed by all, or nearly all, the supporters of the two candidates not running.

Putting it in another way. Suppose there are four nearly equal groups of voters. The first group wish to elect Brown, but if they can't have Brown they want Smith. The second group wants Robb, but if they can't have Robb they want Smith. The third group wants Jones, but if they can't have Jones they want Smith. It is obvious that Smith is the choice of the majority of the people, whereas under the present systems he would not be elected.

This system can be used for any number of candidates by counting the number of names on the ballot and using this number as a value for first choice.

The superiority of this system of electing representatives is too obvious to need further explanation. In the days of two-candidate contests the ballot was the weapon of the people. This is no longer the case with three or more candidates in the field. Let us rearm the electorate with an up-to-date weapon.

HOUSE OF COMMONS, ROOM 429

March 31, 1936.

The Special Committee appointed to study the Dominion Elections Act, 1934, and the amendments thereto and the Dominion Franchise Act, 1934, and amendments thereto, met at 11 a.m., Mr. Bothwell, the chairman, presiding.

The CHAIRMAN: Gentlemen, we have a quorum, and Mr. Butcher is present and will submit his suggestions to you in a moment. Before he does so I should like to read into the record a memorandum on suggested amendments to the Elections Act submitted to this committee by the Canadian Navigators' Federation of Montreal. It reads as follows:

SUGGESTED AMENDMENTS TO THE ELECTION ACT

In order to facilitate the votes of the Mariners and suggested by the Canadian Navigators' Federation Inc.

"Mariner".

" Mariner " shall mean and include any man or woman who is serving in His Majesty's naval forces of Great Britain or Canada or is serving or employed in any capacity on a vessel or vessels of any description in the service of the Dominion Government, or is employed in any capacity on any vessel or vessels of any description at the time of the issue of writ for any Federal Election.

Mariner's right to vote by proxy.

(1) Where the name of a person is entered on the voters' list for a polling subdivision as entitled to vote at elections to the House of Commons and such person is a mariner he shall be entitled to vote by proxy as in this section provided.

Appointment or proxy.

(2) A mariner may appoint in writing (Form a) a proxy who shall be the wife, husband, parent, brother, sister or child of the mariner, of the full age of twenty-one years and an elector entitled to vote in the electoral district in which the mariner is qualified to vote.

Term of appointment.

(3) The appointment of a proxy shall name the person authorized to vote at an election for which writ has been issued for the electoral district and no appointment of a proxy shall be valid unless it is made after the date of the issue of the writ of election nor shall it remain in force after the return of such writ.

Application of proxy to be entered on list.

(4) A person who has been appointed a voting proxy may apply to the revising officer at the sittings held for the revision of the lists in accordance with the provisions of " the Voters' List 'Act' " in the municipality in which the mariner is entitled to vote, to be entered upon such list.

Evidence to be taken by revising officer.

(5) The revising officer shall take evidence on oath as to the right of the mariner to vote in the subdivision of the municipality upon the list of which his name is entered and as to the qualifications of the voting proxy, and if he finds that the mariner is duly qualified and that the voting proxy is qualified to act for him, he shall give a certificate across the face of the appointment of such voting proxy to that effect (Form b) and shall cause the name of the voting proxy to be entered on the voters' list after the name of the mariner.

Not more than one proxy.

(6) Not more than one person shall be appointed a voting proxy on behalf of a mariner at the same election.

Oath on voting.

(7) A ballot paper shall not be delivered to a person who claims to vote as a voting proxy unless he produces his appointment as a voting proxy to the deputy returning officer with certificate of the revising officer thereon as provided in subsection 5, and takes the oath (Form c).

Record of voting by proxy.

(8) The deputy returning officer shall record in the pole book the fact that the mariner voted by proxy, showing the name of the proxy, and shall file the proxy and certificate with election papers and return the name to the returning officer in the envelope provided for that purpose.

Forms and regulations.

(9) The Governor in Council may prescribe any further or other forms which he may deem necessary for the purpose of this section and may make regulations as to the mode in which proxies may be given and generally for the better carrying into effect of the provisions of this section and preserving the secrecy of voting in pursuance thereof.

Proxy may vote in own right.

(10) A person who has been appointed as a voting proxy shall be entitled to vote in his own right in the electoral district notwithstanding that he has voted as a proxy for a mariner.

Offences.

(11) Every person who,—

Voting after appointing proxy.

(*a*) Attempts to vote at an election otherwise than by means of such voting proxy while the appointment of such voting is in force; or

Proxy voting after annulment.

(*b*) votes or attempts to vote at any election under the authority of an appointment as a voting proxy when he knows or has reasonable grounds for supposing that such appointment has been cancelled or that voter by whom the appointment has been made is dead or no longer entitled to vote.

Penalty.

shall be guilty of an illegal practice within the meaning of this Act and shall incur a penalty of $200 and shall be imprisoned for six months.

THE ELECTION ACT

(Form a)

(Referred to in subsection 2)

I, ... of the ..... of ..... in the County of ..... in the Province of ....., being a voter entered on the Voters' List, with a right to vote at the pending Federal Election in the Municipality of ..... in the Electoral District of ..... in the Province of ....., hereby nominate and appoint ..... of..... attorney for me and in my name to vote at the said
(Occupation)
Election;

And I hereby certify that I am a British subject, of the full age of twenty-one years, and otherwise entitled to vote at the said election.

In witness whereof I have hereunto set my hand on board the Vessel..... or at the Customs House Office at ..... or at the Pilotage Office at ..... this ..... day of ..... A.D. 19....

Witness:

THE ELECTION ACT

(Form b)

(Referred to in subsection 5)

CERTIFICATE OF REVISING OFFICER

I, A.B., the revising officer duly appointed under the Voters' Lists Act for the purpose of revising the Voters' list to be used at the election now pending for the Electoral District of ..... do certify that C.D., a voter entered on the Voters' list and having the right to vote at the pending election in the Municipality of ..... in the Electoral District of ....., and that upon evidence there tendered by him (or on his behalf) I find that E.F., named in this appointment as a mariner, is duly qualified to vote at the said pending election, and that the said C.D. is a person duly qualified to act as proxy for the said mariner and to vote on his behalf at the said election.

Dated this.....day of.....19....

.....
Revising Officer.

THE ELECTION ACT

Form C

(Referred to in subsection 7)

FORM OF OATH TO BE ADMINISTERED TO A PROXY VOTING FOR A MARINER

You swear—

(1) That you are a proxy for the person named by the name of..... in the polling list now shown to you and that the said mariner is the person executing said proxy.

(2) That the said mariner is of the full age of twenty-one years.

(3) That the said mariner is a British subject.

(4) That the said mariner is not a citizen or subject of any foreign country.

(5) That the said mariner has resided within the Dominion of Canada for the twelve months last past, except for temporary absences as a mariner.

(6) That the said mariner has resided in the electoral district continuously for the six months last past, and is now actually resident or domiciled therein except for such temporary absences as a mariner.

(7) That the said mariner is not disqualified from voting at this election and is entitled to vote at this election and at this polling place.

(8) That you verily believe that the said mariner has not voted before at this election or any other polling place.

(9) That you verily believe that the said mariner has not received anything or has anything been promised him directly or indirectly to induce him to vote at this election or for loss of time, travelling expenses, hire of conveyance or any service whatever connected with this election.

(10) That you verily believe that the said mariner has not directly or indirectly promised anything to any person to induce him to vote or refrain from voting at this election.

(11) That you have not been paid or promised or received anything for or in connection with voting on behalf of the said mariner and that you verily believe that the said mariner executed the said proxy in good faith.

(12) That you are voting on his behalf in good faith at this election so help you God.

The CHAIRMAN: Now, gentlemen, Mr. Butcher will read you his suggestions, and you will then be free to discuss them.

(Mr. Butcher's suggestions will be found at page 1 of the evidence of March 5).

Discussion followed.

The Committee adjourned until Thursday, April 2, at 11 a.m.

HOUSE OF COMMONS, ROOM 429,

April 6, 1936.

Special committee appointed to study the Dominion Elections Act, 1934, and the amendments thereto and the Dominion Franchise Act, 1934, and amendments thereto, met at 10.30 a.m., Mr. Bothwell, the chairman, presiding.

The CHAIRMAN: Gentlemen, as it is Monday morning and we are starting at 10.30, I think I can now see a quorum. Most of the evidence given this morning will be taken down and go on the record, in any event, therefore I think we should commence our proceedings, although some of the members I should like to see here are not yet in. At the last meeting I announced that we intended to discuss proportional representation to-day. At our second meeting, and in No. 2 of the Minutes of Evidence, Mr. Butcher discussed and put on the record a fairly complete history of proportional representation; that is, it was codified somewhat but from the reading he had done he explained what he had found out. There may be other members of the committee who have also made a study of the subject, and if so, we shall be glad to hear from them this morning. Any evidence any member gives, or anything in the way of a prepared statement, will be taken down by the reporter, so that we shall have it to study before it becomes necessary for us to make a final report to the house.

Hon. Mr. STEVENS: Mr. Chairman, I suppose no effort has been made to secure anyone who is a proponent of proportional representation to appear before us and argue their scheme. There are a number of societies and organizations throughout the world who make a specialty of it. I am just asking as a matter of curiosity. I should like to know if any steps have been taken to give them the opportunity to appear here.

The CHAIRMAN: No, there have been no steps taken except by correspondence with the city clerk, I believe it was, of Winnipeg.

Mr. BUTCHER: Not the city clerk; the man who acted as returning officer in the provincial elections in the city of Winnipeg.

The CHAIRMAN: He was written to for certain information and replied that it would take some days to prepare it. He suggested that possibly it would be advisable for himself and some other person who had something to do with that election to come down here and give evidence from their records; but nothing has been done towards bringing him here. I do not know that he is a particularly strong proponent of proportional representation; except that he acted in the capacity of returning officer.

Mr. MACNICOL: I wonder if it would be in order for me to say something just now? I have made a very exhaustive inquiry into all these systems of voting over a period of twenty years.

The CHAIRMAN: We have no intention of concluding the hearing in regard to proportional representation this morning. If the committee desires or thinks it advisable to bring in some proponent of proportional representation at a later meeting we shall be glad to make an effort to get somebody. Yes, Mr. MacNicol, it would be quite in order for you to make a statement this morning.

Mr. MACNICOL: Has it been recommended by anyone, Mr. Butcher?

Mr. BUTCHER: I cannot say that it has been recommended by anybody. I had an interview with Mr. McArthur, of Winnipeg, who was the returning

officer in the provincial elections in that city, and he rather strongly advocated it. I wrote to him for some information, and he sent me quite a lot of information which I propose to bring before the committee when I give my evidence. Nobody has made an application to me to appear before the committee.

Mr. MACNICOL: I suppose we can get something started so that the committee will have some information, at least, on which to make any investigation they like. I will give a few opinions on the matter, but I shall reserve considerable, in view of the fact that proponents of proportional representations are likely to appear before the committee at a later date.

There are many systems of voting, as has been outlined by Mr. Butcher. The various systems of voting have been invented to overcome what are said to be the evils of the regular or relative majority system of voting. We all recognize that the relative majority system of voting has had some results that are not very satisfactory.

Mr. CAMERON: To the fellow who is beaten.

Mr. MACNICOL: On the other hand, my observation has been that every one of the systems that have been proposed gives results that are just as irregular as the relative majority system of voting. Perhaps one should first of all describe the two great groups of voting. They are the relative majority system and the absolute majority system. Our present system is the relative majority system of voting; that is, if there are five candidates in the field, or four or three, or two, whichever candidate obtains the largest vote is declared elected. Under the absolute majority system the hope is that by elimination and elimination and more elimination, finally you will arrive, by adding together the preferences, at a place where one candidate will have an absolute majority, i.e., one vote more than one-half the votes polled. That is done by choices, and so forth, and in the end the candidate will wind up by having more choices than anybody else, or as under "P.R." will obtain the quota.

In Great Britain, I believe, they have appointed three royal commissions over a number of years to study this question. I have the reports in my office. These royal commissions made a thorough study of the value of the relative system of voting as against any of the others. The reason the royal commissions were appointed is that they have in England what is known as a proportional representation society. This society has a branch in America, with a head office at Philadelphia; and has enrolled in its membership some very outstanding and distinguished men. On my trip to England to investigate this system of voting I met the Marquis of Salisbury one of its most distinguished members and his Lordship was able perhaps to convince other distinguished men to become members of the proportional representation society, and in due course it resulted in the British government appointing three royal commissions, one after the other, with intervening years between them of course. The result was that the British government rejected, in every case, the representations of the proportional representation society advocates, apart from the two university seats, or it may be three. We shall put it at a maximum of three, and for those seats the members are elected by the proportional representation system. The group of universities is made up from London, Sheffield, Manchester and perhaps Bristol, if there is a university there. I am just giving these cities arbitrarily; I am not at all sure that there are universities in all these cities.

The CHAIRMAN: Would it be fair to interrupt you to find out when they adopted this in those universities?

Mr. MACNICOL: I am coming to that. There is another group consisting perhaps of Glasgow, Edinburgh, Belfast. In any event there are two groups, and there may be three. Answering your question, Mr. Chairman, I would say the reason is, you can persuade a group of professors to adopt something of this nature, much quicker than you can persuade the average man; secondly, if

any group would lend itself to accepting the agitation of proportional representation, it might be a university group, because they are educated men and well trained, and naturally they would be in a position to consider twenty-five or thirty names much more easily than the average machinist, blacksmith or carpenter. They would take a delight in checking off on a ballot one, two, three, four, five, six, seven, eight, nine, ten, down to twenty or thirty, as the case may be; whereas the average every-day man might get disgusted long before he passed the seventh name, and might not check over the others at all. So that as far as the universities are concerned, it may have given more or less satisfaction.

Mr. GLEN: As I understand it, the candidates in an election do not appear at the universities at electioneering meetings.

Mr. MACNICOL: The universities are scattered all over the country, or at least the graduates of the university are scattered all over the country, and it would be impossible for the candidate to appear before the graduates of the university.

Mr. GLEN: As a matter of fact they do not appear.

Mr. MACNICOL: They could not do it in any event. As I understand it all graduates of universities are entitled to a vote, and a graduate of the university of London may be a resident of Edinburgh and still be entitled to vote in the other place. Naturally it would be impossible for the candidate to come in contact with him. But this statement is subject to correction.

The proportional representation society being well financed, has made a very strong effort throughout the world to have their system adopted. They have many advocates, and there is plenty of money behind them. I believe I came to this room many years ago, at the time that Right Hon. Arthur Meighen was Prime Minister, and the principal advocate of proportional representation in Canada at that time was Mr. Ronald Hooper. As I said in the beginning, this system was designed to overcome what is said to be the principal evil of the relative majority system, that is that minorities are not always represented, and often have no representation at all. You will often hear people say that while there were—I will use the arbitrary number of 300,000—300,000 conservatives who voted in the province of Quebec in election such and such and no conservatives were elected. I believe there were two elections like that. Where as the liberal party with 450,000 votes, elected 65 members. Mr. Chairman, proportional representation has given at times little if better results.

Mr. GLEN: How?

Mr. MACNICOL: I shall come to that in a moment. So that the representation of minorities, which is the principal objective of the proponents of proportional representation, is not always assured.

Hon. Mr. STEVENS: Do you mind my interrupting you?

Mr. MACNICOL: No.

Hon. Mr. STEVENS: You make a very definite statement there. I wish you would support it. You say proportional representation would not bring about a change. You made it very definite.

Mr. MACNICOL: It would not ensure representation of minorities at all times.

Hon. Mr. STEVENS: You say in all cases.

Mr. MACNICOL: No, I will not say in all cases.

Mr. HEAPS: Generally.

Mr. MACNICOL: Generally, proportional representation does not ensure minority representation in all cases.

Hon. Mr. STEVENS: Can you demonstrate that?

Mr. MacNicol: Yes, I shall come to that in a moment or two. I believe first of all we had better get down to the real basis as to why there has been a suggestion down through the years for a departure from the relative majority system of voting. In 1867 during Disraeli's time, they had some trouble in England, and they adopted and tried out the principle known as the "limited vote." The "limited vote" applies to a multi-member riding. Under the "limited vote" system in a riding where there are three candidates to be elected, the voter has the privilege of voting for two; he cannot vote for three. In a riding in which there are five members to be elected, he can vote for four, and not five.

Mr. Heaps: Why?

Mr. MacNicol: That is the system.

Mr. Heaps: Which system?

Mr. MacNicol: The "limited vote" system. In that way they expected that a minority would in all probability be sure of having representation.

Mr. Heaps: May I ask whether that "limited voting" is in effect now?

Mr. MacNicol: No, it is not in effect any more. It was abolished in England. It was later adopted in Spain and Portugal, and abolished in both countries. It was one of the first systems tried in the hope of bringing about certainty of representation for minorities, but failed. Another system adopted to ensure representation to minorities is known as the "cumulative system" of voting. There is only one place in the world that I know of in which it is in operation, and that is the state of Illinois. For the local state elections the seats are all divided up into three member ridings. You can give three votes to one candidate, or you can vote one, one, one; or you can give two to one, and one to another; in other words, you can accumulate them or add them together or give them singly and place them wherever you think they are the most effective. That system does ensure minority representation.

Mr. Heaps: May I ask if in the case of what you call "cumulative voting," you have the right to mark one, two, three?

Mr. MacNicol: No. If there are three candidates to be elected, naturally there would be five, six, seven, eight or nine nominated, depending on the parties in the field. A man could give his three votes to the one man, if he wished to make sure of his election. Let me give an example, and in giving it I am not making a distinction at all. Suppose a coloured man is nominated, the coloured voters would naturally want to ensure that the coloured man would be elected. They would give their three votes to the coloured man. On the other hand, they could give him two votes, and anyone else one vote, or they could vote for three candidates, one, one, one. If a voter voted all three votes for one man he would in that way ensure minority representation. Personally I am not in favour of the system at all. I was over there and watched it in operation and was not impressed by it; but I will admit that it does give a certain amount of minority representation.

Then, they have tried out in the western states, and it may be still in operation in a few places, what is known as the Bucklin or Grand Junction system of voting. Under this system you vote one, two, three, four, five, six or more choices. When I say you may vote for as many as six, I mean you may stop when you get to three, or four, or you may stop at two, or one candidate's name. You are not compelled to vote for more than one under this system, but you can go down the whole list. When the voting is completed and the boxes are opened, the candidate with the lowest number of first choices drops out.

Mr. Heaps: Is not there sometimes a question of the surplus of voting?

Mr. MacNicol: I shall come to that in a moment. The lowest man drops out. Then they mark each man's first preference down and then count the ballots over again to find out the voters' second preferences. They add the

second to the first, and if one candidate has not an absolute majority on the first and second preference count, they count again and they add on the third preference; and in the end whichever candidate's first, second, third and fourth choices added together make an absolute majority, he is declared elected.

Mr. HEAPS: Where is that?

Mr. MACNICOL: That is at Grand Junction in the western states.

Mr. HEAPS: That is the only place where the scheme would be in operation?

Mr. MACNICOL: I thought the committee ought to have some information on that. That is one of the systems permitting one, two, three, four, five or more choices. Then comes the " second ballot ". The second ballot used to be in operation in several places in Europe, but has been abolished in every place but France. In France they have used two systems on the " second ballot ". First they tried the system in which if one candidate did not have an absolute majority they voted again ten days later. In that system all candidates were voted for again, the candidate having the most votes being the victor. The system was found to be unsatisfactory. France then adopted proportional representation but proportional representation proved unpopular in France. It was abolished and they went back to a " second ballot ". The second system of the " second ballot " in France operated in this manner. If on the first election day a candidate did not get an absolute majority, voting took place again ten days later, but only for the two highest, instead of voting for all, as they did in their first trial of " second bill ". Under the present system in France they vote ten days later for the two highest of those voted for on the first balloting if no one had an absolute majority.

Mr. HEAPS: That is not proportional representation at all.

Mr. MACNICOL: No.

Mr. CAMERON: You say if the candidates have not a clear majority.

Mr. MACNICOL: Suppose four candidates are running for a seat in France under the present system and after the ballots are counted no one of these candidates has an absolute majority—

Mr. HEAPS: Fifty per cent.

Mr. MACNICOL: If no one candidate has over 50 per cent they then drop all but the two highest and in a week or ten days—it is not always ten days; it depends on the season of the year—they vote on the two highest. They have that system at the present time. But I have read of a strong agitation in France at the present time to scrap the " second ballot " and adopt the British system of a relative majority.

The next system is that known as the " alternative vote " used in single member ridings, two different voting days were tried under the second ballot. Then it was suggested, why not have this all on one election day; why not have two choices? That was the beginning of what is known as the alternative or contingent vote; it is wrongly called the alternative vote.

Mr. HEAPS: The alternative vote is what you might say operated in a single member constituency.

Mr. MACNICOL: Yes. That system is in operation in several states in Australia, and a cross between it and proportional representation is used for the election of the senate in Australia, and it is used in Manitoba and Alberta in Canada. But there are four different types of the system. I might say that a similar system is in operation in Queensland, Manitoba, and Alberta. Under it the voter must express a choice for one candidate. He does not have to vote for any others but he may express a second, third, etc., choices. The bill that was defeated in the Ontario legislature in 1923 was a similar bill. You must vote for one and you may vote for others. For the Australian senate they elect three senators at a time. The system used is a cross between proportional

representation and the alternative vote. Under that system, you must vote for twice the number to be elected. For the Australian house you have to vote for all candidates expressing a preference for each name on the ballot 1, 2, 3, 4, etc.

Mr. HEAPS: It is compulsory to vote for the limit; that is for as many candidates as there are?

Mr. MACNICOL: Yes, for the Australian house.

Mr. HEAPS: Suppose there are only four candidates to be elected?

Mr. MACNICOL: There is only one to be elected for a house seat.

Mr. HEAPS: Suppose there were four to be elected under that system?

Mr. MACNICOL: There would only be one to be elected a single member riding. The alternative vote applies to a single member riding.

Mr. HEAPS: Suppose it is a three member constituency?

Mr. MACNICOL: That should have proportional representation. But the Australian senate system of voting is a cross between proportional representation and the ordinary contingent vote and three are elected at an election for the senate in each Australian state.

Mr. HEAPS: It is the same as Manitoba, in that case?

Mr. MACNICOL: The Australian senate, yes more or less, except that in Manitoba you elect only one in rural ridings by the contingent vote.

Mr. HEAPS: What about the city of Winnipeg?

Mr. MACNICOL: That is straight proportional representation in the city of Winnipeg. In the rural constituency of Manitoba under the alternative vote you elect one, but in the Australian senate you elect three, but under the alternative system of counting. In reference to the Australian house, elected under the alternative or contingent vote, you have to mark your ballot for all that are nominated, one to eight, or as many as are nominated. In Canada's bill of last year a voter had to vote for all but one, bill 101, I think it was. However the question of the alternative vote is not up this morning. I shall now get back to proportional representation.

The proportional representation system of voting is applied to a multi-member riding, never to a single member riding. So that if this house adopts the proportional representation system of voting, then we must make up our minds to redistribute Canada into multi-member ridings. The system will not work in less than a three member riding. In Great Britain various commissions determined that a riding should be not less than five, and if possible a seven member riding. So that if Canada adopts proportional representation then all our ridings must be either three—five or seven member ridings or any higher odd number. This in Canada, as you well know, would be a colossal undertaking, for instance in the Province of Saskatchewan or the Province of Alberta where several of the present ridings would be grouped together into one seven-member riding, or for that matter, three of them, the lowest possible, it would mean grouping together ridings some of which now cover a large area.

Before I describe how it operates, I might say that proportional representation has been tried in many cities, states and countries. It has been tried because of the convincing arguments put up, principally by secretaries of proportional representation societies. They have been able to come before Parliamentary committees and because of having at their finger ends a thorough description of the system and its mathematical basis, as they call it, have been able to persuade numerous cities, states and countries to try it. But it has been abolished in quite a number of them. As I said a few moments ago, France tried proportional representation and abolished it. Italy tried it and abolished it.

Mr. GLEN: They abolished everything.

Mr. MacNicol: I am not referring to the late years since they have dictators. I am referring to when they had the parliamentary system of government. Spain tried it and abolished it. Czechoslovakia also tried it and abolished it.

Mr. Glen: Had it many years of operation in any other countries?

Mr. MacNicol: No, not in any of them very long. A few elections have always been sufficient to try it out. In New South Wales they used it in two elections, the election of 1920 and the election of 1922. I have just forgotten for the moment whether they used it in a third election or not. But after each election they appointed a royal commission to find out why it did not work. Mr. Butcher has read the report of these royal commissions, and he can bear out what I say, that on the reports of the royal commissions it was finally abolished in New South Wales as being unsatisfactory.

Mr. Heaps: What did they substitute for it in New South Wales?

Mr. MacNicol: They went back to the relative majority system.

Mr. Heaps: The same as in Great Britain?

Mr. MacNicol: Yes. New Zealand adopted it for two towns, Christchurch and Dunedin, I believe. The government sent a commission over to New South Wales to see it in operation there, and the commission surveyed it for several elections. New Zealand rejected it as a system of voting for parliamentary elections.

Mr. Glen: Is proportional representation in operation in any country in the world now?

Mr. MacNicol: It is in operation in Tasmania, Winnipeg, Calgary, Irish Free State, the University Ridings in Britain and several nations in Europe. I have not got the figures just in front of me, Mr. Chairman, but in Christchurch, New Zealand, the ballots were counted over three hundred times, and in the end they could not determine who the last two successful candidates to be elected should be, so the ballots were put in a hat and the returning officer backed up to the hat like this (indicating), put his hand into the hat and pulled out a name. That man was elected. He then repeated the performance and pulled out another name, and that was the final selection. I have read they were over two weeks counting the ballots to determine who should be elected for Christchurch.

Mr. Heaps: Speaking of Christchurch, was that a civic election?

Mr. MacNicol: Yes, that was a civic election. The experience of Christchurch was one of the reasons why New Zealand did not adopt it for legislative elections. This paper gives the figures for the riding of Denison in Tasmania. The ballots were counted in this riding 130 times to determine the victors, but in some of the ridings they were counted a greater number of times. A matter of a week or more elapsed before it could be announced who were elected in the riding of Denison. You might say, "Why do they retain that system in Tasmania"? Well, Tasmania is an exacting place, as you may understand. They are a long way removed from large centres of population and they are very far removed from the centre of the British Empire. Down there they take their politics strenuously and the political parties vote every possible vote. They do not try to vote the dead but as party politics are so strong down here that apparently they believe this is the only system of voting by which they can make sure that the dead are not voted for.

Mr. St.-Père: I have a question I should like to ask.

Mr. MacNicol: I think I had better continue my statement. There are two main systems of proportional representation. There is what is called the "Hare" system and the "list" system. Under the "Hare" system, let us consider a riding electing five members. Suppose the total number of first preferences—that is, the total number of 1's—is so many. One man will vote for Mr. Heaps

first; another man will vote for Mr. Glen first, and another man will vote for Mr. Stevens first, and so on. They count up all the No. 1's or first preferences. Just so that my figures will be more easily grasped, suppose there are 12,000 first preferences. Then they take the number of candidates to be elected, namely five, and add one to that, making six. They divided six into the 12,000, which gives 2,000. Then they add one to that, making 2,001. That is called the "quota." They then declare elected every candidate who has obtained 2,001 votes or has obtained the "quota." Suppose for the sake of argument that Mr. Heaps—he is familiar with this system, having had experience so frequently with it in Winnipeg—has 4,002 votes. I am now using arbitrary figures because they are easy to make deductions from. He is then able to give away 2,001 votes, or he is able to give away 50 per cent of his vote. So that in the apportioning of all the rest of the surpluses, they take just 50 per cent of each surplus. For instance, of 2,001 votes they would apportion, they would apportion 1,000 or a half to those who received, on his ballot, second choice; and so forth. They keep on counting, taking the choice until they have five candidates with 2,001 votes or the "quota."

Mr. HEAPS: Are you sure that the whole surplus is divided?

Mr. MACNICOL: No, fifty per cent.

Mr. HEAPS: I mean, if there is 4,004 or 4,002 and 2,001, 2,001 are then divided?

Mr. MACNICOLL: Yes. He has 4,002 votes. He has a surplus of 2,001 or fifty per cent.

Mr. HEAPS: That total surplus is divided among those whose names appear second on the list?

Mr. MACNICOL: I think, to have it correct I shall read it just in the way it is in the "Hare" books. I was trying to give it to you from memory.

"A constituency of five members or more in size is recommended.

"The intention is that a voter shall vote for 5 candidates of the list nominated. Experience is that in a 5-member constituency from 20 to 30 candidates will stand for election. The voter places a numeral after the names of his choices in the order of his preference 1-2-3-4-5, etc. The Returning Officer first ascertains the 'quota' which is the minimum number of votes required to elect a candidate. The quota is found by sorting the ballots and counting the number of first preferences, and by dividing this number by the number of the candidates plus one. In a 5-member constituency the divisor is 6. Example: Suppose there are 12,000 first preferences; 6 divided into 12,000 gives 2,000. He then adds 1 to this number, making 2,001 which number becomes the 'quota.' He declares elected all candidates having 2,001 votes or more. Suppose candidate No. 1 received 4,002 first preferences. He has therefore a surplus of 2,001 votes. The Returning Officer counts No. 1's ballots again so as to ascertain the second preferences of the voters. Suppose he finds that on these 4,002 ballots candidate No. 2 has 50 second preferences, No. 3 has 150 second preferences, No. 4, 250 second preferences, No. 5, 75 second preferences, No. 6 and the following candidates a few scattered votes. He then determines the percentage of the vote that No. 1 can give away, in this case 50 per cent. He then divides the second preferences according to this percentage and gives No. 2, 50 per cent of his 50, or 25; No. 3 thus gets 75; No. 4 gets 25; and No. 5 gets 37. This process continues until five candidates receives the 'quota'."

Just let me touch a subject right there that is tremendously important, before I get away from it. I think, Mr. Chairman, that there should be something in the record as to the value of the preferences, because when an election in a five-member riding is in progress in various places where it is in operation or where it has been tried, it becomes a contest between candidates on the same side, often more than between candidates on opposite sides. The fight is

between the Liberals themselves, or the Conservatives, or the C.C.F. or other parties, because each candidate desires the first preference of his party supporters. Why does he fight for the first preference?—A. Because the first preference is of tremendous value. For instance, the royal commission that investigated the New South Wales elections to ascertain why P.R. did not work satisfactorily, ascertained that it became a fight between candidates on the same side for the first preference, for the reason that whoever gets the first preference in the voting gets an advantage. Suppose there is a contest in which Mr. Glen, Mr. McIntosh, Mr. Stevens and Mr. Stewart were all contesting the same seat on the same side of politics. Then each of these gentlemen would say to a voter: "Give me your first preference." Because whoever gets the first vote has 79·66 of the total value of that vote; whoever gets No. 2 preference has 17·33 of the value of the vote; whoever get the third choice has 2·96 of the value of the vote; and whoever gets four choice has ·35 per cent of the value of the vote. So that there are not very many who ask for the fourth choice, when the first choice gets 79·66 per cent of the total value.

Mr. CAMERON: Could there be a combination of circumstances whereby the man with the first preference, by manipulation of figures, might find himself defeated in the end?

Mr. MACNICOL: What is that question again?

Mr. CAMERON: Could a man, with first preference, under a combination of circumstances find himself utterly defeated?

Mr. MACNICOL: He might obtain a lot of first preferences, but not enough to be elected. But the man who gets a majority of first preferences is elected.

As I started to say a few moments ago, there are two systems. There is the one that I spoke of, the Hare system; and then there is the system which was tried in France and abolished, called the " list " system or scrutin-de-list system which is still in operation in Belgium. This is the only state which I know of in which the scrutin-de-list system is in operation in Belgium. There are elections in Belgium for the senate and the house. The photograph of the ballot I hold in my hand is for the house. This is the ballot for a riding returning eleven members. There are six parties and 41 names represented on the ballot. If a man wants to register his vote for the party ticket, all he does is blacken that dot at the top. If he wants to spread his vote around, according to the way that we are told the P.R. vote will work, and he is not interested in party at all but is going to vote for certain candidates and is going to make sure he is getting the best man he will blacken the white dot at the side of a candidate's name. During the election, when the election gets going, Mr. Chairman, most people vote for their party. But if the man wants to vote for five or six parties, then he would not blacken the little white dot at the top, but would blacken one here (indicating) blacken one here on this party's list, blacken one or two in this party's list, one over here and one here, and perhaps three or four here. He has the opportunity of voting candidates in all parties. But if he wants to vote for a single party list, all he has to do is blacken the dot at the top. That means that he gives his first preference to that party; and in a case of that system of voting, the preference goes to the party. That system is still in operation in Belgium. I have here one of the last senatorial ballots in Belgium. There were three parties; the Socialist party, the Liberal party, and the Catholic party. If a man wanted to vote for one party, he would blacken that dot at the top. That means that he would vote for that party only. If he wanted to vote for the Liberal party, he would blacken that dot at the top, and that meant he voted for the Liberal party slate.

Mr. GLEN: And if he wanted to vote for the Catholic party slate, he would blacken the dot at the top?

Mr. MacNicol: Yes. But in turn, if he does not want to vote for the party ticket, he would blacken the dot in front of the names that he wanted to vote for. That is called the scrutin-de-list system. I do not know how that would do for our voters here in Canada. As I said a few moments ago, I cannot go into too much detail at the moment. Proportional representation has been tried in quite a number of places and has been abolished. I started to give a list, but did not finish it. It was tried in France and abolished. It was tried in Italy and abolished, in Spain, Czechoslovakia, New South Wales and Ulster. In cities, it was tried in Victoria, B.C. in Coquitlam, Nelson, Vancouver, Vancouver South, Vancouver West and abolished in each one of these. It was tried in Edmonton and abolished, in Moose Jaw, Regina, Saskatoon and North Battleford and was abolished in all these places. It was introduced in the State legislature in Michigan, but was prevented from being adopted because the Supreme Court ruled that it was not American inasmuch as it did not give to each American voter an equal value. The contention was that if I should go into a polling booth and vote for three names, and my neighbour went in and voted for only one name, that made his vote more valuable than mine, that is in the counting. So the Supreme Court decided that it was not American; that is, that it took away from each American voter the privilege of equal value of votes. The Supreme Court prevented its use in Michigan but I believe it was tried in Kalamazoo and abolished. The city of Belfast used proportional representation for municipal elections and abolished it. The city of Cleveland tried it a few years ago. I went over there to observe the election. They made a great pow-wow over it. They were induced by P. R. advocates, and secretaries to try it out. After two or three trials in Cleveland the system was abolished, and they are back now to the regular system of voting. Someone asked a few minutes ago about—

Mr. Glen: What is the number of times of voting?

Mr. MacNicol: I think it is Mr. Stevens' question which I have in mind in reference to proportional representation not giving minorities representation.

Mr. Glen: I just wanted to know how many votes have taken place in the different countries.

Mr. MacNicol: In New South Wales I will state emphatically two, but my memory is three. I did not verify that. I looked at the reports of two of the royal commissions, those in 1920 and 1922.

Mr. Cameron: They had a royal commission after the elections?

Mr. MacNicol: After the election in 1920 in New South Wales, the result was so unsatisfactory that the government appointed a royal commission to find out why P. R. did not work.

Mr. Cameron: And then they gave it one more trial.

Mr. MacNicol: And then they tried it in 1922 and it was still unsatisfactory. They appointed another royal commission to find out why it did not work. In like manner in Ulster a royal commission was appointed to find out why it did not give satisfactory results in Ulster. I have some information here with regard to Ulster. In the election in the city of Belfast for members to the legislature of Ulster—

Mr. McIntosh: What year was this?

Mr. MacNicol: This would be the first election after the formation of Ulster into a state. I unfortunately have not the year here.

Mr. Cameron: Do the reports of these commissions point out in what way it was unsatisfactory?

Mr. MacNicol: Yes. One was, as I said a few minutes ago, the value of the first choices. That was one of the observations of one of the royal commissions, in one of the elections in New South Wales, in which they pointed out

that whoever got first choice got 79 per cent of the value of the vote. In the election in the city of Belfast for members to the legislature of Ulster, the total vote polled exceeded 162,000, of which the Nationalist party polled 35,000 votes and elected one member to the legislature, whereas the balance of that 162,000 elected 15 members to the legislature.

Hon. Mr. STEWART: It did not work.

Mr. MACNICOL: It did not work there.

Hon. Mr. STEVENS: It probably worked to the extent of getting them one.

Mr. MACNICOL: I said that the method of election for the Australian senate was a cross between proportional representation and the alternative vote. It is very difficult to tell just which it is, inasmuch as they elect three members to cover a whole state. They are all elected at one time. In other words, they have the state as a seat. The counting is done under the contingent system of voting. While it is neither one thing nor the other, I believe it is just as well to have the facts as to what the results were for the six Australian states. For the six Australian states, 18 senators were to be elected. In the election of 1919 the Liberal party obtained 860,000 votes and elected 17 senators; the Labour party obtained 820,000 votes and elected one senator; the farmers' party obtained 173,000 votes and did not elect any senators.

The CHAIRMAN: What was the first figure again.

Mr. MACNICOL: 860,000. I will reserve other figures for a later date. I am told that in later senatorial elections in Australia the results were equally adverse to what the original advocates of these systems of voting hoped to obtain, namely, representation for the minorities. The minorities did not receive representation in anything like the proportion, if in any proportion at all, that was predicted they would; and in no case—well, I should not say in no case, but I will say that, generally, they were no better than the present relative majority system of voting.

Mr. CAMERON: Did either one of those commissions make any report to the effect that the schemes did not get a fair trial?

Mr. MACNICOL: Oh, no. The commissions made inquiry, taking each individual riding by itself, and studied out the facts in every case very carefully. Then they made their pronouncement on that. I might say that under the proportional representation system, the percentage of voting is much less than under what is called the contingent system of voting. The number of spoiled ballots is much greater. Naturally, if in a riding there are twenty names on a ballot it takes more care than many voters wish to exercise. People would not generally appreciate having to make a selection out of a long list of names. In this country they take politics pretty strenuously, and as a rule they would not be inclined to divide their voting strength up.

Mr. GLEN: Did you answer Mr. Stevens as to the minority not having representation? I suppose Mr. Stevens is an illustration.

The CHAIRMAN: He just gave one illustration of that.

Mr. MACNICOL: They are numerous. I cannot give them all this morning.

Mr. GLEN: Mr. Stevens is an outstanding example of a party with a large vote getting only one representative. Is there any method by which this could be avoided?

Mr. MACNICOL: You mean in the whole of Canada?

Mr. GLEN: Yes.

Mr. MACNICOL: No. There is no method whatever in use anywhere that would give any different results.

Mr. GLEN: Do you say that proportional representation would not modify that?

Mr. MACNICOL: No, Mr. Stevens' vote applied to the nine provinces, 245 ridings. If the provinces are going to be divided to provide a system of proportional representation it would mean in the province of Ontario instead of having 82 ridings we would have, in all probability, twenty. The same results applied to the nine provinces collectively, would make the ridings larger. The British doctrine, Mr. Chairman, which is fundamental to their system of government, is that all governments shall have a majority, if at all possible; whereas under proportional representation it is almost impossible for a government to have a majority.

Mr. GLEN: You would have group government?

Mr. MACNICOL: Exactly, like they have in France.

Hon. Mr. STEVENS: You refer to a majority of members in the house, not to a majority of the voters.

Mr. MACNICOL: No, not a majority of voters. Under proportional representation to have a majority of voters does not ensure representation. I suppose the committee may recommend something constructive. I submit our troubles are largely the result of redistribution, and the fact that there is not always reasonable relationship between the number of voters or population in one riding, as against another riding. In all countries where they have tried to improve their electoral results, they have endeavoured to make their ridings as nearly the same as possible; they have tried to make them as nearly the same population as possible. In Canada that may not be applicable, because we have in this country such tremendous areas which makes it hardly fair to divide Canada on a basis of even population, because if you did, large areas would not be represented. However there should be some effort made in that regard.

The CHAIRMAN: Have these royal commissions made any recommendations as to the density of population necessary in order to have proportional representation?

Mr. MACNICOL: Under proportional representation a riding will represent a large area, an area which would comprise five or seven of our present seats.

Mr. CAMERON: You are familiar with the basis of representation to-day. Can you give us an idea what the representation would be like under this proportional representation system?

Mr. MACNICOL: Yes. Under our act the basis is 46,000, or thereabouts.

The CHAIRMAN: 40,000, is it not?

Mr. CAMERON: It is fixed by statute.

Mr. MACNICOL: Yes, fixed by statute, but we do not adhere to it.

Mr. CAMERON: We cannot adhere to it absolutely.

Mr. MACNICOL: No, but in a lot of places they do. In a lot of states they do try to get down to adhering to it more or less on a fixed basis. But in these states the population is denser than here. For instance, the state of Ohio. In that state the legislative seats are based on a population of 66,466, and they adhere to that as nearly as they can.

Mr. HEAPS: Is the basis for the urban and rural sections the same?

Mr. MACNICOL: Exactly; there is no distinction in Ohio between rural and urban voting. They divide the whole state as nearly as possible by the number of legislators; that is, they take the number of seats and divide it into population as nearly as possible, and at the present time the number is 66,466 per seat. They do not divide a township between two seats; they try as nearly as possible to keep a township in the one seat. They try as nearly as possible to have 66,466 in each seat, but they allow a variation of 10 per cent either way.

Mr. HEAPS: In your opinion, if we in this country follow the basis of representation by population as nearly as possible, we could do away with a great deal of the inequalities in our districts?

Mr. MacNicol: Yes; but I qualify that to this extent: I recognize that there are great areas—I would say generally, yes.

Mr. Heaps: As nearly as possible.

Mr. MacNicol: Generally; but I would have to be sure there was some repreesntation for great areas.

Mr. Heaps: You would have a minimum population for a seat in a rural section, would you?

Mr. MacNicol: Yes, I would. For instance, in the recent redistribution, I was associated with Mr. Stewart, who was chairman of the committee. I had perhaps a little more to do with Ontario, specifically. Seats were divided on a basis that was not anything near the 46,000 that was supposed to be the quota. We have seats in Ontario to-day that have a population of far less than that. There is one seat in Ontario that has a population of less than 19,000.

Hon. Mr. Stewart: And another one has a population of 80,000.

Mr. MacNicol: Whereas my seat has a population of about 65,000; and there is a seat in Welland, I believe, that has a population of 90,000. I am not sure of that; but I believe that Nipissing has a population close to 100,000. That is manifestly anything but a reasonable division. There were certain factors that entered into the redistribution which were by no means political. It is a very difficult problem to handle.

Mr. Heaps: Political factors never enter into a redistribution.

Mr. MacNicol: I am saying that political factors had nothing whatever to do with it. In Massachusetts they divide the seats as nearly as possible on a strict 5,858 of votes per seat. The United States congressional seats are divided without reference to area, on a basis of 281,000, as nearly as possible.

Mr. Heaps: May I ask you there if you would be in favour of some independent body being responsible for the redistribution of seats?

Mr. MacNicol: In Australia they appoint a permanent commission which consists of the chief electoral officer, who is a permanent official, the surveyor general of the state and a third party, who, I am not sure of at the moment. They do not give it here. This is what the act says:—

> For the purposes of distribution of a state into divisions in accordance with this act, the governor general may appoint three commissioners, of whom one shall be chief electoral officer, or an officer having similar qualifications, and, if his services are obtainable, one shall be the surveyor general of the state, or an officer having similar qualifications.

They do not say who shall be the third commissioner. I would not be tremendously averse to something like that, the chief electoral officer, the surveyor general and a third nominated by the governor in council.

Mr. Heaps: What about commissions?

Mr. MacNicol: No, I am not in favour of commissions at all. The chief electoral officer is always on the job; the surveyor general is always on the job.

Hon. Mr. Stevens: That system would place distribution entirely under the party in power.

Mr. MacNicol: The chief electoral officer would not be under the party in power.

Hon. Mr. Stevens: Probably not, but the other two would be absolutely.

Mr. MacNicol: However, I am not advocating it; I am only saying that is the system in Australia. I am not going to pass any comment on it.

Mr. Heaps: How long has that been in effect in Australia?

Mr. MacNicol: This is dated 1928. It has been in vogue since 1918; it has been in operation over there for quite a few years. I want to be emphatic.

I am not advocating that system; I would want to think it over very carefully, but I do strongly advocate that there should be some reasonable relation between population in one riding and the population in another riding.

Mr. McINTOSH: That would make your representation as much rural as urban, or practically, vice versa.

Mr. MACNICOL: I qualified that a little while ago by saying that there should be some consideration for areas, as well. I am not advocating the Australian system by any means.

Mr. WOOD: In these countries that you are describing, is there any qualification regarding voters?

Mr. MACNICOL: Manhood franchise everywhere.

Mr. WOOD: Is there no other qualification?

Mr. MACNICOL: I shall give you two or three of the divisions used in various places. In Nova Scotia under the last act they passed they gave one seat to a rural community under 25,000, over 25,000 two seats. That has to do with the rural population. In an urban population the limit for one seat is 20,000; whereas in a rural seat when they get over 25,000 of a population, they get two members. In that way they allow for more rural population.

The CHAIRMAN: More rural representation?

Mr. MACNICOL: More rural representation. In the Irish Free State they divide it up as nearly as possible on the basis of equality. In New Zealand they give representation to rural seats on the basis of 100 and in the cities on the basis of 128. That is, it would take 128 voters in the city to have the same voting strength as 100 in a rural community. The quota is divided up on that basis. In the Union of South Africa they divide their electoral seats on a basis of 75 votes in a rural community to 100 in the urban communities. In the state of Victoria, Australia, they divide the voting population up on the basis of 22,000 votes in a city riding, with, I believe 15 per cent either way, and a district which is partly rural and partly urban; that is to say, with a large urban town in it, on a basis of 15,000, and a rural district consisting of wide areas, 10,000. That is 22,000, 15,000 and 10,000. I am firmly convinced that we have our country divided up on a more irregular basis than any place else I have been able to learn of. When you think of a riding having less than 19,000 of a population returning a member to this house, and then a riding like Nipissing with a population of 100,000, only returning one member, one must be convinced that there is something wrong.

Mr. HEAPS: You have four members in Prince Edward Island.

Mr. MACNICOL: That is provided for by the B.N.A. Act.

Mr. HEAPS: Even at that it is an anomalous situation.

Mr. MACNICOL: Yes. The committee has a great deal of work to do. But personally I am opposed to any of those systems that you might call chance systems of voting being substituted for the regular relative majority system of voting. As I said a moment ago, I do not think it is the system that is causing the trouble; I believe our trouble results from our system of redistribution. I could say more, but in view of the fact we are likely to have a representative from the proportional representation society here—

Mr. WOOD: How do you explain your contention that redistribution would affect the minority groups differently?

Mr. MACNICOL: Because the point is, these seats would carry a widely different basis. To-day they range from 19,000 of a population to 100,000. In the seat of 100,000 may be not more than 50 per cent of the vote may have been polled. Place that in opposition to the candidate elected by a population of 19,000. In the later case the riding being smaller and the battle more

intense the successful candidate would undoubtedly have a greater per cent of the population behind him.

Mr. WOOD: Under proportional representation the minority vote is fairly constant, whether it is a small population or a large population; they do not change.

Mr. MACNICOL: I was thinking of the total vote in Canada, or the people who vote, rather.

Mr. WOOD: Take Nipissing, and divide it into three constituencies.

Mr. MACNICOL: Yes?

Mr. WOOD: Do you think by dividing it you would have any different result in the minority vote?

Mr. MACNICOL: Yes, you would, for this reason: In a riding of 100,000 population, the percentage voting is reduced in proportion to the lack of intensity of the contest. You cannot develop a contest to any magnitude in a seat having 100,000 population anything like that in a seat with a population of 19,000, and the reason is easy to understand. You cannot get around and address 200 meetings in a large constituency. In a small constituency you are close to the voters, you know everybody by name, more or less. But in a constituency having a population of 100,000 it would be all but impossible to get around to see a great many, and the result is the percentage voting is greatly reduced.

Mr. CAMERON: I would think the greatest difficulties are in the large area.

Mr. MACNICOL: That is what I am trying to point out. The difficulties are tremendous.

Mr. WOOD: They do not register their opinion in the same proportion?

Mr. MACNICOL: Exactly.

Mr. WOOD: The proportion that do register their opinion is alive to the change, the same as the others.

Mr. MACNICOL: Then the very same thing applies to the city riding. Take my own riding with a population of almost 65,000. At the last election the percentage of voters was much larger than the percentage that had ever voted previously; but generally the vote is less than 40 per cent. The reason is the people are so congested that they will not go out to vote. In other words, they say, Oh, it is safe, or something to that effect; and they resent the congestion. They do not go out to vote. In Great Britain where the seats are very largely allotted on a uniform basis, voting is more intense than we know it here, and the reason is that we have such great areas.

Mr. CAMERON: It is very much easier for them to do it.

Mr. MACNICOL: I have gone beyond the reasonable time that I should expect.

The CHAIRMAN: Are there any further questions to ask Mr. MacNicol before he resumes his seat?

MR. HEAPS: I should like to say word on this question. I do so because I have run a few elections myself on the P.R. basis in the city of Winnipeg from which I come. We still have P.R. for both our civic elections and our provincial elections. In the provincial elections we elect ten members from the city. They are elected on what are called the Hare-Spence system, which is the Hare system which Mr. MacNichol referred to some time ago. This system has been in effect quite a number of elections, and there seems to be no general complaint; although there is a good deal of difficulty arising in the fact that there is a large area to be covered by the candidate. As many as 40 names appear on the ballot, from which the elector has to chose ten. But I must

say it has been an agreeable surprise to me to find the very small number of spoiled ballots that we have had in both our civic and provincial elections under the P.R. system.

In our civic elections in Winnipeg I think we have had the P.R. system in effect for approximately 16 years. For that purpose the city is divided into three parts, three different wards. Our wards are somewhat larger in the civic elections than they are for our federal seats. We have an average population of over 70,000 per seat, and for each seat constituency there are three members to be elected.

THE CHAIRMAN: Three elected from each ward?

MR. HEAPS: From each ward in the civic elections. We have had these elections each year, and we have never had the difficulty insofar as counting is concerned, which Mr. MacNicol claimed has manifested itself in other parts of the world. The manner of calculation has been more or less reasonably simple. I do not know whether I would be asking too much, but I have in my hand, Mr. Chairman, the latest figures available to the public having to do with the elections in the city of Winnipeg. This is dated November, 1934, and it gives a tabulation, in very clear figures, of how the votes are tabulated and counted, how the transfers are made, etc. I am wondering if the committee would agree to have these tables placed in the record. I am thinking of it more from the point of information than anything else.

THE CHAIRMAN: We shall put it in as an appendix.

(See appendix "A" to this day's evidence.)

MR. MCINTOSH: How long after the vote was taken was it before the results became known?

MR. HEAPS: The following day. The elections usually take place on a Friday, and the results are known by Saturday night. If they are not known by Saturday night, they are known by Monday.

MR. MCINTOSH: Usually on Monday.

MR. HEAPS: On Monday the completed results are known. There are seven elections to be tabulated. You have the election for the school board on the same basis, election for aldermen for each of the three wards; then you have the count for the mayor, etc. All these ballots have to be checked and re-checked by the men employed by the city for that purpose, and as a rule the candidates have to wait until the next day, Saturday or Monday, to get the complete and final result.

Now, it does work fairly satisfactorily in Winnipeg, both provincially and municipally. There is no general desire anyhow, just now, and has not been for years, for a change in the system to anything else. Sixteen years ago we used to elect under the ordinary ward system. Under that system the man having the highest number of votes was declared elected. Since the transfer to P.R. system, we have continued to do that until the present time. We have these elections each year and we usually have no difficulty in the way of results or counting ballots or anything of that nature.

MR. CAMERON: What about the representation of minorities?

MR. HEAPS: Well, it gives a fairly accurate representation even to minorities.

MR. GLEN: Is Mr. MacNicol's statement true, that it resulted in a fight between the different members of a single party; is that so?

MR. HEAPS: I must explain that, because I ran with other members of my own party under the same ticket, under the P.R. system. If you are at all fair to your own party you cannot say, Vote for me, No. 1. You could do that, but—

MR. CAMERON: You should not do it.

MR. HEAPS: We do not as a rule. Suppose Mr. Glen was running with me—I know it is unthinkable—but suppose he was, and also Mr. MacNicol, on the one party ticket. Suppose we were all running on the one ticket, we could not go out to the electors and say, Vote for me, No. 1; but you could say, Vote for the party ticket, and for whom you think should be No. 1.

MR. MCINTOSH: There is no combination group, then, to get that first choice?

MR. HEAPS: It has not manifested itself to my knowledge, but very often men who are not running on a party ticket do go out and say, Vote for me, No. 1.

The CHAIRMAN: I thought there was a tendency in that direction.

MR. HEAPS: But in a provincial election where you are running strictly on a party basis, Liberals and Conservatives, probably, you have parties putting up a slate of candidates, and you have people acting in that way.

MR. GLENN: Is there not a danger of the minority not being represented?

MR. HEAPS: No, I do not think so. We find votes transferred all over the slate. If I might put it more precisely, let us assume that the quota is 4,000 and one man running as a Liberal gets 6,000 votes. Let us say on the liberal ticket is Mr. Glen and Mr. MacNicol, which is a more thinkable combination. If Mr. Glen got 6,000 votes, he would have a surplus of 2,000. It is quite possible that Mr. MacNicol would get about four-fifths or three quarters of the surplus votes. That is illustrated by the table I have in my hand at this moment.

The CHAIRMAN: That is the final result you have there?

MR. HEAPS: The complete result showing how the votes are counted.

The CHAIRMAN: Is it the wish of the committee that it be entered into the record?

Some hon. MEMBERS: Yes.

The CHAIRMAN: When you are through with it, hand it to the reporter and it shall be entered as an appendix.

(See appendix A to this report.)

MR. HEAPS: May I explain it? This is the result of the civic elections of 1934. In this election eleven candidates ran for three seats, and there were 17,714 votes cast for all candidates, which made a quota of 4,429. One of these candidates received 5,423 votes as first choices, which gave him a surplus of almost 1,000.

The CHAIRMAN: He would immediately be declared elected.

MR. HEAPS: Yes. He had a surplus of almost 1,000. Running on the same ticket was a gentleman by the name of Simkin and another man by the name of Anderson, who as the first choice received 2,343.

Hon. MR. STEWART: He was the next highest.

MR. HEAPS: No.

Hon. MR. STEWART: On the first choice?

MR. HEAPS: No; but he received more than three-quarters of the surplus of Mr. Simpkin, which took him from 2,343 to 3,054, which made him the second highest man, or the first highest man on the second count, when Simpkin was out. This would indicate that the majority of the ballots went to a man who ran on the same party ticket. We find that is usually the case. The balance of the surplus of approximately 250 to 300 votes went to practically every other candidate who was running in the election.

The CHAIRMAN: Under these circumstances there would be no other count.

MR. HEAPS: Oh yes, the count went, as I said before, to the ninth count, to find out who were to be the other two candidates to be elected in addition to

the one elected on the first count. When this goes on the record it will give those who are interested in the system an idea as to how the count took place, and will show its simplicity. It shows those who are elected received a majority or quota that is created by the method that Mr. MacNicol suggested, and as in operation in the city of Winnipeg.

Mr. McINTOSH: Those three were the only three who ran in that election?

Mr. HEAPS: No. As I said before, there were eleven running.

Mr. GLEN: Were the three elected representatives of labour?

Mr. HEAPS: We elected three.

Mr. JEAN: Were they all representatives of the same party?

Mr. HEAPS: No, that has not been the case at all to my knowledge.

The CHAIRMAN: Who stood second high on the first choice?

Mr. HEAPS: On the first choice?

The CHAIRMAN: Did he belong to the same party?

Mr. HEAPS: No, he did not. He was a man by the name of F. H. Davidson, who has since passed away. He had a vote of 2,833 on the first choice.

The CHAIRMAN: Was he elected at all?

Mr. HEAPS: Yes, he was ultimately elected. But he was not elected until subsequent to Mr. Anderson being elected. Mr. Anderson, who was third in his number, was the second one to be elected; and ultimately Mr. Davidson was the third one to be elected under the system.

The CHAIRMAN: So that the first three who had first choices are the three that were finally elected under the proportional representation?

Mr. HEAPS: In this particular election. I have known of cases where such has not been the case, though; where one man has had a tremendously large surplus, and his tremendous surplus has gone to another man on the party ticket who was away down.

The CHAIRMAN: I think a case of that kind would be an interesting computation for us to study.

Mr. HEAPS: I just took this one out of the rest for the simple reason that this went to the ninth count. There are others. There are some elections that did not go as far as that. In the same election I find that others went only to the fourth count; another one went to the sixth count. But I have taken the largest count for the purpose of having it on the record, so that the members on the committee may consider it.

Mr. CAMERON: I consider that a certain party man who had a large surplus, led.

Mr. HEAPS: Yes.

Mr. CAMERON: He had a large surplus.

Mr. HEAPS: Yes.

Mr. CAMERON: And as a result of his getting that large surplus, by using that surplus, a man of the same party who was not second to him, was brought up to him.

Mr. HEAPS: That is correct.

Mr. CAMERON: And was ultimately declared elected.

Mr. HEAPS: Yes. That is correct. I might say that in an election I have known votes to be transferred from one party to another party, and a man of opposite party to be elected by those votes. But there is one thing perhaps I might state here in reference to what Mr. MacNicol has said, though I am not expressing any opinion at this moment as to the desirability or feasibility of P. R. right across this country. Our rural sections of Canada contain a tremendously large area which has to be covered. I would think it would be

almost physically impossible to have grouped constituencies where you might want to elect three members for a constituency. For instance, I understand that the north half of British Columbia can only elect one member.

Hon. Mr. STIRLING: No.

Mr. HEAPS: Mr. Turgeon could tell you how it is covered. It would be physically almost impossible for candidates to cover grouped constituencies in many of the rural parts of this dominion.

The CHAIRMAN: What about a combination of proportional representation and the alternative vote?

Mr. HEAPS: I shall deal with P.R. first. In our urban centres it would be quite feasible to have the proportional representation system in effect; but I would not be in favour of having these constituencies too large in their areas; because if one candidate has got to cover, say a population of three-quarters of a million, it is a task that is extremely difficult, and extremely costly as well for the candidate. I would be in favour of keeping it down to the minimum of possibly three or five at the very most, if the committee were favourable to the idea.

Hon. Mr. STIRLING: Do you agree with Mr. MacNicol's statement that P.R. could not apply to a single member constituency.

Mr. HEAPS: To the single member constituency? There it does not naturally apply, because you would have to have the alternative vote if you wanted any of the system.

Hon. Mr. STIRLING: Could P.R. only apply to an amalgamation of such ridings?

Mr. HEAPS: Yes. It has got to be grouped constituencies, and the minimum I would suggest would be three. I would go from the three that Mr. MacNicol suggested to five, assuming that we are favourable to the idea. But I would take the simplest form of P.R. that we know, and that is I believe the method that we have in vogue in the city of Winnipeg, at the present time.

The question of the alternative vote has been brought up. To me, the alternative vote and P.R. are two very opposite ideas. It would seem incongruous, I would say, to suggest that we have both in effect—although we have that at the present time in the province of Manitoba—for this very simple reason that P.R., as its very basis, gives to minorities the right to representation and the alternative vote simply wipes them out, because you will fail to give to a candidate that is successful a majority of the votes ultimately cast. Therefore I would be clear that if we are going to have P.R., I would be opposed to the alternative vote, although perhaps it might be a good idea, if some members thought so, to try out a system of P.R. in some of our urban sections. Personally I have no objection to that, although I cannot say that I am very enthusiastically in favour of it because it has many drawbacks. I am trying to give a fair indication of what had happened in Winnipeg, where it has been in effect for so many years. At the present time there seems to be very little indication from any source whatsoever of a desire to create any change either in the election of the provincial members or in the election of the city council.

The CHAIRMAN: I should like to know if any of the members of the committee know of any outstanding proponent in Canada of proportional representation and the alternative vote. If it is possible to secure the evidence of some person so that we can make a complete study of this, I think possibly we had better finish this phase of the reference at as early a date as possible, that is on proportional representation and the alternative vote. If there is any person here who knows of an outstanding proponent in Canada, we might be able to get him. I should be glad to have his name.

Mr. HEAPS: Mr. Chairman, there are many who have made a very close study of the thing. I would suggest, that instead of incurring the expense that might be involved in bringing someone down here, you might get submissions from these people and we could put them into the record.

Mr. MACNICOL: Yes. I believe there are only two places in Canada that now have it in operation, Winnipeg as Mr. Heaps has pointed out, and the city of Calgary. Perhaps you could have the city clerk of Winnipeg send down a brief. I believe I have his upstairs. You might also have the city clerk of Calgary send down a brief. There are only two places left. It has been abolished almost everywhere.

Mr. CLARK: In view of its having been abolished almost everywhere, is there really any advantage in going into the matter further? Do you think the members of the committee would be convinced any more than they are now? Could we not settle the matter now?

Mr. MACNICOL: I think it would be just as well to invite the people here.

Hon. Mr. STEVENS: I was rather inclined to protest against the rather dogmatic statement of my friend Mr. MacNicol, to the effect that it had been abolished everywhere. That would leave a wrong impression. I think, in justice to those who advocate P.R. some consideration ought to be given to the way it has operated.

Mr. MACNICOL: I suggest getting the city clerk.

Hon. Mr. STEVENS: It certainly has not been abolished everywhere, by any means. It is all in the records.

Mr. MACNICOL: I wish to withdraw that statement. I should have qualified it by saying that it has been most frequently abolished.

Hon. Mr. STEVENS: It has been abolished in a number of places; that is true. I am not convinced that proportional representation is the solution. But I am convinced that there is a very large body of opinion not only in this country but in other countries operating under our relative majority system, who are somewhat shocked at the results of that system. We may as well face one or two facts. I think one of the arguments in favour of the present system is, "Well, it is rotten luck; it is certainly pretty bad that we have pretty nearly an equal division of the votes but we have only so many seats. However, our turn will come." That is a sort of compensating thought; and the result is that there is tendency where the system operates to swing votes to the extreme one way or another. I think that is notorious. Those of us who have been mixed up in elections for many years know that the tendency is to swing, or as we sometimes put it, people do not vote to put a government in; they vote to put a government out. It is a common everyday phrase that we use. Yet there is the very essence of this system of operation. That might be all right where you have a straight two party system—and by the way, I might say that in this I think we are a little unfair in the records, because we show the results of the present system in the Dominion elections in 1911 and 1930, but we do not show the results of the last election, 1935, where they are even more startling than some of the others. But let us take it even in the old days where you had two parties straight. You have, in 1908, the Liberals with 594,000 votes getting 135 seats, and the Conservatives, with 552,000 votes, getting only 86 seats. In 1911 the Conservatives had 669,000 votes and got 134 seats.

Hon. Mr. STIRLING: Are you reading from a computation?

Hon. Mr. STEVENS: I am reading from the records.

Hon. Mr. STIRLING: What page?

Hon. Mr. STEVENS: Page 41. The Liberals had 625,000 votes as against 669,000—almost a 50 per cent division—but got only 87 seats. There are a

number of other illustrations shown. Then you have set forth here on the record examples of P.R. There is Poland, Netherlands, Denmark, Finland, Norway, Estonia. Then there is Calgary and Edmonton also set forth, in the 1935 provincial election. That, I think, is a rather startling illustration, and is well worth consideration even by those who are, shall I say, proponents of the present system. Take the case of Calgary. Under proportional representation, Social Credit had 24,000 votes with four seats; the Liberals had 8,000 votes—that is about one-third of what the Social Credit group had— but they got one seat; the Conservatives had 5,900 and they got one seat. Labour and others got only about 1,500 each and they did not get any seat. There is a division which certainly could not have been secured under your present system. In Edmonton the Liberals had 14,000 votes with three seats; Social Credit had 13,600 votes with two seats; the Conservatives had only 4,800 but they got one seat.

Mr. MacNicol: What election are you speaking of?

Hon. Mr. Stevens: The provincial election of 1935.

Mr. MacNicol: I have the complete returns here and they do not give that.

Hon. Mr. Stevens: These are provincial election results in the two cities. Mr. Butcher put this on record. I am reading from the record at page 44. Then I should like to read what the *Edmonton Journal* comment was.

The *Edmonton Journal* commenting upon the election said:—

> " Whatever the new government does, it is to be hoped that it will not do away with proportional representation in Alberta. If it wishes to make a move in the right direction, it will amalgamate Alberta's single member ridings into multi-member constituencies and put proportional representation into effect over the whole province."

There is not any doubt in my mind that what inspired that *Edmonton Journal* comment was that, with the swing of opinion in Alberta to Social Credit, there was a danger of wiping out representation in the House of all other opinion. They were speaking, of course, as a fairly strong party journal.

Mr. Heaps: Have you the number of votes there for the whole of the province of Alberta, outside of the two cities.

Hon. Mr. Stevens: Yes, here they are, the Alberta elections, 1935. Social Credit, with 123,000 votes throughout the whole province, got 50 seats. Of course, this is under the single transferable vote. It does not touch proportional representation in the two cities. Social Credit, with 123,000 votes, got 50 seats; the Liberals, with 47,000 votes, got 1 seat; U.F.A., with 30,000 votes, got no seats; Conservatives, with 8,000 votes, got no seats; Labour, with 2,000 votes, got no seats; other candidates, with 7,000 votes, got no seats. I mention this, Mr. Chairman, not as one who is advocating proportional representation, but because there is one question I should like to ask, not of my friend Mr. MacNicol—though he could probably answer it—but of someone who has technical knowledge. Let me say to Mr. MacNicol that anything I have said here that might appear to be critical of what he says is not said in that sense, nor from any lack of appreciation of the study that he has given to this. I think that he has given an unusual amount of study to the subject and I respect his views very greatly. There is one question I should like to have answered. We have often heard the argument that proportional representation is mathematically accurate and perfect, that it is a perfect system.

Mr. MacNicol: No. That is the statement.

Hon. Mr. Stevens: My submission is that it is not mathematically accurate.

Mr. MacNicol: You are right.

Hon. Mr. Stevens: Let us take Mr. Heaps' memorandum, if I may do so for a moment. You have a number of members running, and a quota is fixed.

In this instance you had 17,000 votes cast, if I remember rightly; and the quota set up, arbitrarily, was 4,429. In the first place, the reason for setting that up is simply as a result of dividing it in a certain way which is arbitrarily fixed.

Mr. HEAPS: Scientifically fixed.

Hon. Mr. STEVENS: All right. I should like to hear someone explain the science that is involved, because I have never been able to see it. However, I am not going to quarrel on that point. It is fixed at 4,429. Here is where, in my opinion, the inaccuracy of the mathematical exactitude comes in. The first man who gets 4,429 votes is elected. It does not matter who he is. The first man who happens to get 4,429 votes is elected; if he has second choices, they are distributed.

Mr. HEAPS: Pardon me. That is not a correct statement. Those over and above the quota are distributed.

Hon. Mr. STEVENS: What is that?

Hon. Mr. HEAPS: All above the quota are distributed. I forget exactly what the number was.

Hon. Mr. STEVENS: Oh, yes. But that does not alter my point. Pardon me, Mr. Heaps, just one second so I may be understood. No, I am not talking about what proportion of them are taken. What I am talking about is: which are his ballots? Do you not see? He goes in. He is finished with 4,429.

Mr. MACNICOL: Yes.

Hon. Mr. STEVENS: There is no mathematical exactitude there except an arbitrary one. He goes in, but then there is a recount of what is it—2,000 in this case?

Mr. HEAPS: No, a surplus.

Hon. Mr. STEVENS: About 1,000 surplus, and these are distributed. Why are those others to be distributed any more than Mr. Walmsley who is at the bottom?

Mr. HEAPS: He is distributed too.

Hon. Mr. STEVENS: At that time?

Mr. HEAPS: No.

Hon. Mr. STEVENS: No. But in the meantime his are distributed and another man is elected. Then his are taken. You see what I am getting at. It is not mathematical, but just by a choice.

Mr. CAMERON: In this case these 1,000 electors, if they had their choice, might not vote for the man to whom they are assigned.

Hon. Mr. STEVENS: Not only that, but if for example, you take out entirely any name which is there, the second choice might be entirely different, and would be entirely different from this other. So that the second choice business is not on a mathematical basis. However, I am using that as an illustration of what I think, or the reason why I think someone ought to be here to give us an explanation of proportional representation. I am willing to listen and hear the argument. While I am not very favourable to it, I should like to hear all there is about it.

If Mr. Heaps will pardon me, there is one other point which I should like to mention before I sit down, one which strikes me in regard to this proportional representation. The counting of ballots is usually in the hands of or under the influence of those of us who have been more or less active in elections, and we get very restive and very impatient with a delay in getting the results. The tendency is to look at that terrible sheet that Mr. MacNicol showed us a moment ago and say, "Why go through all this?" and instead of considering whether the thing is right or wrong we say, "Let us wipe it out." I know in Vancouver, which is cited as one of the places where it was tried, it

was tried in about three civic elections. I think, perhaps the main cause of throwing it out was the bother, just the plain, ordinary, everyday bother that occurred in counting the ballots, well that is not a reason. I would submit to you that that is not a reason. I will venture to say that, in most cases, that was the strongest reason for throwing it out, but I would submit that it is not sufficient for us to reject it for such a reason. That is another reason why I should like to have someone appear here who would present the case in as strong a position as possible. I should be perfectly satisfied if Mr. Heaps would undertake the task himself, but it ought to be done as Mr. MacNicol has done it. His views should be placed as completely and fully before the committee as possible, so that we may ask such questions as occur to our minds. I have not any doubt that Mr. Heaps or somebody else could perhaps answer those questions. But unless that is done, I think we would make a mistake in just checking this out and saying we have given consideration to it; because we have not, in my opinion.

Mr. McINTOSH: Would it not be better to have an expert outside of the committee, if you can get one? Can you not get some specialist in this work in Toronto or some place?

Mr. HEAPS: There are a number of names that I can think of, of men who know the question thoroughly.

Mr. MACNICOL: Mr. Hooper.

Mr. HEAPS: From Winnipeg, yes. He is with the Winnipeg *Tribune*, and you could get in touch with him and he could give you all the details. But I think Mr. Stevens has been under sort of a misapprehension in regard to the system, and the way it works in Winnipeg, at least. I was taking that particular count there, and if I had had the time I could have gone into that count of the election there and could have given the full details of how all the ballots were transferred. In the first place, the quota is established not by any haphazard method or arbitrary method. It is established on a scientific basis.

Mr. CAMERON: What is the basis?

Mr. MACNICOL: Count the first preferences.

Mr. HEAPS: When there are three candidates to be elected, you add one to that.

Mr. McINTOSH: Why do you add that one.

Mr. HEAPS: Because it is found that when, on account of the difficulty or on account of the scientific method, you add one to the number, it works out ultimately that the man has first choice; that is, on the basis of the count, it gave the quota there. Ultimately that is divided by four.

Hon. Mr. STEVENS: Would you mind explaining how the quota is arrived at before you add one?

Mr. HEAPS: It is arrived at by adding one to the number of candidates to be elected.

Mr. MACNICOL: The quota is arrived at by adding all the first preferences of all the candidates, and then dividing those first preferences by the number of candidates plus one.

Mr. HEAPS: It is arrived at in the first place by the total number of votes cast.

Mr. MACNICOL: By the first preferences.

Mr. HEAPS: The first preferences were 17,740 in this particular case. There were three to be elected.

The CHAIRMAN: That would be all the votes cast. They would all have one first choice, so that both statements agree.

Mr. HEAPS: Yes. There were 17,740 ballots cast with first choices on them. There were three candidates to be elected. One is added to the three, which

makes four; this four is divided into 17,740, and that brings you to 4,428. There is one added on to that which brings it to 4,429, which means that any candidate who is elected on first preferences has got to have more than twenty-five per cent of the total first choices cast.

Hon. Mr. STEVENS: Yes. Pardon me for interrupting, Mr. Heaps, but that cannot be said to be a scientific basis. It is an arbitrary basis.

Mr. HEAPS: No. These people who have worked out the system on a scientific basis arrive at that conclusion. I am not arguing for it or against it.

The CHAIRMAN: It is a proportional representation system in any event.

Hon. Mr. STEVENS: Of course I agree with that.

Mr. HEAPS: What happened in this case was that one man out of the eleven who ran had 5,423 votes and the quota was 4,429. He had 904 votes or first choices more than was necessary to elect him. Now, the logical thing to do is to find out who, on this ballot, was his second choice, because those ballots should not go to waste.

Hon. Mr. STIRLING: On that point, who selects which 900?

Mr. HEAPS: I am coming to that. The whole second choice depends entirely upon the elector himself. He marks No. 2 according to his preference on his ballot. If there are eleven names on it he can mark 1, 2, 3, 4, 5, right down to 11, if he wishes to.

The CHAIRMAN: In this instance, what happened?

Mr. HEAPS: In this particular instance, this man's 904 votes were transferred to others.

Hon. Mr. STIRLING: Which 904?

Mr. HEAPS: The surplus.

Hon. Mr. STEVENS: No. 2's 900?

Mr. HEAPS: No, No. 1's 900.

The CHAIRMAN: If I may ask a question there, I think I have got Mr. Stirling's point. Is it not a fact that you take all that man's 5,000 odd ballots, and then take the second choices on them and divide them up proportionately?

Mr. HEAPS: The Chairman is quite correct. It is divided up scientifically. They count all his No. 2's and add his 5,423 votes cast.

Mr. MACNICOL: How many No. 2's were there?

Mr. HEAPS: He had a surplus of 904 all told. It is worked out on a mathematical calculation and divided proportionately among all of them.

Mr. MACNICOL: In 904, what proportion is he able to give away?

Mr. HEAPS: He gives all the 904 away.

Mr. HEAPS: To show how that works out, I am taking the man who got half of the 904.

Hon. Mr. STIRLING: Before you reach that, he has got 904 too many first votes?

Mr. HEAPS: That is the idea.

Hon. Mr. STIRLING: 904 ought to be distributed. Which 904 does who take?

Mr. HEAPS: I am telling you that is worked out on a mathematical calculation. All 5,423 votes are counted.

Mr. CAMERON: No.

Mr. HEAPS: Yes, they are. I have seen them counted, and then his second choices counted.

Hon. Mr. STIRLING: We are talking about first choices.

Mr. HEAPS: Yes. The first choices for No. 1 are there.

Hon. Mr. STIRLING: After all, he produces the 904 extras.

Mr. HEAPS: Yes. All that is on the first ballot. After No. 1, he has also got second choices there, and the man elected has 904 more first choices than he requires, than his second preference count.

The whole 5,423 are tabulated carefully, every one of them, and then the first ballots are distributed and distributed in proportion to the number of second choice preference given on those ballots.

The CHAIRMAN: Which is given to each candidate?

Mr. HEAPS: Yes. In this way, according to this count and to this tabulation which I have here, out of 904 there were 711 which all went to one candidate, which means that approximately seven-ninths of his total second choices went to his running mate. Therefore, because seven-ninths of his No. 2 preferences went to his running mate, Anderson, which was the man's name here, got 711 votes.

Mr. JEAN: How many votes did Anderson get?

Mr. HEAPS: It would be seven-ninths of 5,423.

Mr. JEAN: How many firsts, and how many second?

Mr. HEAP: It would be seven-ninths of 5,423. That is the correct mathematical calculation. If you divide 5,423 by 9, and multiply it by 7, you will find out the number of times a person voted Simpkin 1 and Anderson 1.

Hon. Mr. STEVENS: I wanted to point out that the question that bothered me, and which is bothering my friend Grote Stirling, is: under what scientific basis do you take the second choices of those 5,423 ballots rather than any of the other 17,000?

Mr. HEAPS: In all cases of these ballots, the first preference went to the man who was declared elected, and the electors said they wanted that particular man to be elected. Then they marked No. 2 according to the second choices.

Hon. Mr. STEVENS: I know. Why didn't you take No. 2 of the whole lot?

Mr. HEAPS: It is done, ultimately. What happens after that? Let us see what happened after that.

Mr. MACNICOL: Explain what happened in the case where nobody has a majority?

Mr. HEAPS: I am taking this case because there was a lot of candidates. In this case the last man had 409 votes. These were first votes. He is counted out, and these 409 votes are distributed according to the second preference on this ballot. Now, when he was counted out, there were 431 cut off. He received from the man who had a surplus the number of 22, and that surplus of 22 gave him 431. Then he was counted out. The 431 votes are, however, counted by the man who was No. 2, and this was a man by the name of Walmsley. He received the ballots on the extra count from the man who was then counted on. Then the next lowest number was counted out after that. He happened to have 517 votes, but he happened to be a woman. And so it went on, until the lowest persons were all counted out until the last time, as the other people received their quota. It took nine counts in this particular case finally to decide who were to be the other two to be elected in addition to the one already elected on the first count. I think, Mr. Chairman, the matter is fairly simple, if it could be worked out in a proper list to show in a concise form how the transfers were made and to whom they were made.

The CHAIRMAN: Mr. Heaps, if I might interrupt you, I should like to say that I have another appointment, and I think we shall have to adjourn. As it appeals to me, the situation is this: this is the first time that the matter of proportional representation has been referred to any committee of the House for the purpose of study and making a report. I believe it is the wish of the committee to make as exhaustive a report as we can within the time we have to spend. Therefore, if we can get any further information by calling witnesses

here and cross-examining them, I think we should do it; so that when we make a report, with the evidence that we have before us on record, it will be a report that can be referred to, such as the reports of the royal commissions of other countries may be referred to. That is the reason I was asking for names of those who might be outstanding proponents of this particular system, so that after the Easter recess we can have the witnesses here, cross-examine them, and get all the information.

Mr. MACNICOL: I think Mr. Hooper would be the logical man.

The CHAIRMAN: I have taken the name down and we shall communicate with him.

Mr. MACNICOL: He appeared before a committee of the Ontario Legislature in regard to the P.R. system.

The CHAIRMAN: I am sorry that we have to adjourn, but I have an appointment. We shall try to have this record in your hands so that you may study it in your leisure time during the recess.

The committee adjourned at 12.35 o'clock, to meet again at the call of the Chair.

APPENDIX "A"

RESULTS FO WINNIPEG CIVIC ELECTIONS FOR ALDERMEN, NOVEMBER 23, 1934

WARD 2—QUOTA 4429

	1st Count	2nd Count	3rd Count	4th Count	5th Count	6th Count	7th Count	8th Count	9th Count
V. B. Anderson	2,343	3,054	3,124	3,163	3,236	3,443	3,542	3,882	4,610*
G. R. Belton	1,894	1,927	2,004	2,048	2,159	2,203	2,443	2,485	2,831
J. Clancy	623	657	668	676	711	....	....	....	....
F. H. Davidson	2,833	2,887	2,968	3,048	3,155	3,240	3,449	3,507	4,041†
T. R. Hardern	723	739	778	800	848	892	....	....	....
Jessie Kirk	496	517	538	....	....	....	....	....	....
Jessie Maclennan	1,516	1,590	1,629	1,857	1,953	2,058	2,213	2,339	....
S. A. Magnacca	606	616	634	657	....	....	....	....	....
S. Simkin	848	867	894	914	948	999	1,031	....	....
J. Simpkin	5,423 E	4,429 E	4,429 E	4,429 E	4,429 E	4,429 E	4,429 E	4,429 E	4,429‡
J. C. Walmsley	409	431	....	....	....	....	....	....	....
Non-Transferable	....	....	48	122	275	450	607	1,072	1,803
Totals	17,714	17,714	17,714	17,714	17,714	17,714	17,714	17,714	17,714

* Elected (2). † Elected (3). ‡ Elected (1).

HOUSE OF COMMONS, ROOM 429,

April 28, 1936.

The Special Committee appointed to study the Dominion Elections Act 1934 and amendments thereto and the Dominion Franchise Act 1934, and amendments thereto, met at 11 a.m., Mr. Bothwell, the chairman, presided.

The CHAIRMAN: This morning, gentlemen, we have Mr. Ronald Hooper, of Winnipeg, Mr. Good of Paris, Ontario, and Mr. Wright of Wolfeville, Nova Scotia. I had a letter from Mr. Wright on Saturday morning in which he stated that he was making a trip up here and would be available to the committee to-day. However, we had already arranged to call Mr. Hooper this morning, and we had better proceed with him. It is better that we have a motion that the attendance of these three gentlemen at this committee be approved. I do not think it will be necessary to swear the witnesses on a matter of this kind, and unless somebody has some matter to bring before the committee I will call Mr. Hooper.

Mr. RONALD HOOPER, called.

WITNESS: Mr. Chairman and gentlemen, I do not know that I can best serve the interests of this committee by indulging in any general argument showing that the present election system is faulty or that proportional representation will cure these things, because to deal with proportional representation on a purely theoretical basis will not accomplish very much unless it can be shown that it will work. Proportional representation might be a very good thing too to correct all the evils in the present system, yet it might fail to work. With your permission I will deal with the practical working of proportional representation, leaving any general questions until later.

By Hon. Mr. Stevens:

Q. Mr. Hooper may be a little modest, but perhaps someone could inform us who he is. I understand, Mr. Hooper, that you are reeve of some place in Winnipeg?—A. I am reeve of the suburban municipality of St. John, Winnipeg.

Q. For how long have you been reeve?—A. Oh, it is becoming a habit. I have been reeve for about eight years. I have contested five elections on proportional representation myself. I do not know whether that is an argument in favour of it.

Q. However, you have had considerable experience?—A. Of the practical side of elections, yes. I might say, Mr. Chairman, that I used to be in the Civil Service in Ottawa in the Department of Labour, and while I was in the Department of Labour things occurred that I am going to tell you about I am not going to wander abroad and make statements about foreign governments which nobody can check as to their accuracy or otherwise. We are not concerned to find out whether proportional representation will work in New Zealand or Tasmania or Australia or Belgium; all we are concerned with is to find out whether it will work in our own country, with our own people running it; and the best experience we have had with it in Canada is in the province of Manitoba where I now happen to live. While, perhaps, the people in this country are not very well informed as to the extent of the growth of

proportional representation in Manitoba, I might state that in other countries they look to the Manitoba experience as very informative and very valuable.

By Mr. MacNicol:

Q. In what other countries, may I ask?—A. I cannot remember at the moment. I can give you the list later as to what other countries asked for information.

Q. You said that other countries looked to Manitoba?—A. I have letters from Tasmania.

Q. They have it in Tasmania?—A. I know; but as to the details.

Q. Is the system not the same in Tasmania?—A. Yes; but there are matters of detail.

Q. They have had it much longer in Tasmania than in Manitoba?—A. Quite so; but all matters of detail as to the distribution of ballots and how we find it, is a matter of interest, and other countries are interested in our experience.

Q. Referring to Tasmania, which was really the mother of them all in regard to this system, why would they write to Manitoba if they were using the same system?—A. Because they wanted to find out if we have any minor changes in regard to the sorting of ballots which might facilitate matters and improve the system.

Q. Are the two systems not the same?—A. Yes, but with regard to the methods of sorting ballots—the number of ballots we might require—it will be interesting, I think, Mr. Chairman, if I explained to the committee how Manitoba came to become interested in the subject. It started in 1919 when the general strike took place. The result of the strike and the effect of the strike are both pretty well known in Canada. A grave situation existed in Winnipeg at that time. The first contact I had with that was early in 1920. I was in the Department of Labour at the time, and Senator Robertson was the minister. I received a visit from Premier Norris of Manitoba and Thomas L. Johnson, the Attorney General at that time. They came and asked me if proportional representation would be of any value in Winnipeg, because the provincial election was to take place in June of 1920. The government had already committed itself to extend the representation in the provincial legislature from six members to ten, and the government was concerned because feeling was so high in Winnipeg at that time that nobody could forecast what the result of the election would be. In the creating of ten single member constituencies in Winnipeg it was, at least, supposed that labour might win eight or nine of those seats; on the other hand, it was possible that labour would not get any. There was a strong anti-labour element known and there was a strong labour element known, and there was also in between an element that the politicians at the time could not tell how they were going to act. If they jumped to labour they might get nine or ten seats, if to anti-labour, none. The government of the day did not want to see the government get all the seats, and Mr. Johnson was statesmanlike enough to realize that it would be bad for the city of Winnipeg, and that if labour got no representation the matter would not end there. He and Mr. Norris wanted to know if proportional representation would offer a possible way out. I told them frankly that proportional representation would merely give labour and non-labour representation in the provincial legislature in proportion to the votes; if labour had a majority of the votes they would get a majority of the representation, but they would not get it all. That interview took place in January. In February of that same year Senator Robertson sent for me one morning and told me that the provincial government requested that I go out to Manitoba to explain this system and to help, if necessary, in the preparation of legislation. I went out and held a number of counts for the benefit of the

legislature so that they would understand what they were undertaking, and the principle was approved and legislation was drafted. The legislation was carried almost immediately.

By Hon. Mr. Stevens:

Q. By the Norris government?—A. Yes. And three months later I was again sent for and with the permission of the Minister of Labour I went out again to supervise the first proportional representation attempt of any size in Canada. The method recommended and agreed upon was that the city of Winnipeg should be polled as a ten-member constituency grouped into one constituency electing ten members, and that the single transferable vote should be the method by which they should be elected. At that time there was some doubt as to whether or not they would divide the city into two constituencies each electing five members, and it was agreed that a better proportion would be got between labour and non-labour by making it a large constituency. It was at that time the largest proportional representation constituency in point of number of voters in the world, I believe—it was not the largest geographically—they have many larger constituencies in the south of Ireland.

Of course, it was very important that the first election should be carried out properly and that there should be no hitch, so I spent a little time in the preparation, and I can tell you about the results. A lot of confusion was aroused in people's minds about proportional representation. It is the same with baseball or bridge. If you try to learn the game by reading the rules you will get confused, and if you try to follow bridge by having a friend explain it to you you will get confused. The easiest way to follow the game of baseball or to learn how to play bridge is to play the games for yourself, and the easiest way to understand proportional representation is to use ballots and to have a very simple explanation given to you. There is nothing complicated about it. The system used in Winnipeg is exactly the same as the system indicated on these charts. These were the charts I used ten years ago to explain the system to the legislature in Winnipeg.

Mr. MacNicol: Shall we ask questions as we go along?

The Chairman: I think it would be best to allow Mr. Hooper to make his statement and then to have a general cross-examination later on; I think it will give Mr. Hooper a better chance.

Mr. MacNicol: I do not wish to interrupt him. I would be very anxious at this time to hear why Mr. Norris became such an opponent of that legislation afterwards.

The Chairman: I think it would be best to allow Mr. Hooper to give his statement.

Witness: This is a very simple explanation, and it illustrates, I think, every conceivable point that can come up in any system, and this system has been used in Manitoba for provincial elections, for four elections, and for the city of Winnipeg for sixteen city elections, and for a number of the suburbs of greater Winnipeg, including my own municipality. The colours illustrate the parties: red for liberals; blue for conservatives, and so on.

The Chairman: The chart is self-explanatory, and we will have it incorporated in the record.

RETURN SHEET

NUMBER OF VOTES 115. NUMBER OF SEATS 5. QUOTA=$\frac{115}{6}$+1=20

Names of Candidates	1st Count	2nd Count		3rd Count		4th Count		Final Count		Elected Candidates
		Transfer of Law's Surplus	Result	Transfer of Har-court's Votes	Result	Transfer of Snow-den's Votes	Result	Transfer of George's Votes	Result	
Asquith	14		14	+3	17		17	+6	23	Asquith 4.
Banbury	5	+ 6	11		11		11		11	
Cecil	10	+ 9	19		19		19		19	Cecil 5.
Chamberlain	5	+15	20		20		20		20	Chamberlain 2.
Lloyd George	7		7	+1	8		8	−8	−	
Harcourt	4		4	−4	−		−		−	
Bonar-Law	50	−30	20		20		20		20	Law 1.
MacDonald	13		13		13	+7	20		20	MacDonald 3.
Snowden	7		7		7	−7				
Non-transferable ballots								+2	2	
Totals	115		115		115		115		115	

Liberals polled 25 votes and elected 1 Member.
Conservatives polled 70 votes and elected 3 Members.
Labour polled 20 votes and elected 1 Member.

WITNESS: That is exactly the system as was in use in the province of Manitoba. The only difference is that the number of votes, instead of being 115 at the last election, was 78,000, and the number of candidates, instead of being reduced to nine were, in the last election, 29 and the number of counts was longer.

I will explain a misconception which is in the minds of some people. They speak of the Winnipeg count. They had 28 counts, and there were 78,000 ballots. That would mean 78,000 multiplied by 28, and they say that is the number of ballots which they actually had. That is not so at all. You can see what constitutes a count at each one of these stages in this chart. In one particular count there were only eight ballots in a total of 115—just a few. In a particular count you may handle relatively few ballots; you do not have to go through the whole 78,000 ballots every time you make a count. With regard to the first provincial election in Manitoba under this system, in 1920—I cannot give you the figures, but I will give you the percentages—the total number of votes polled in that election was 47,000 odd. It has jumped up in recent years. The Labour party polled 42·5 per cent of the total vote; they elected four members which is exactly 40 per cent of the 10. They elected on first choice just a little less. They were entitled to $4\frac{1}{4}$ and they elected 4. The liberal party polled 30·4 per cent of the first choice and they elected 40 per cent of the members—slightly more than the first choice—but as much as they were entitled to. The conservatives elected on first choice 14 per cent of the vote and elected 20 per cent or two of the members. The independents polled 13·4 per cent and they did not elect any member. It has been said that that shows the unfairness and inaccuracy of the system, that the independents polled so large a percentage of the vote and did not succeed in electing a member. Let me remind you that the independents in that election and all subsequent elections were independent of each other. In the election of 1920 one of the independents was running on a wet ticket and another was running on a dry ticket. It is inconceivable that they would support each other; they were absolutely independent of each other.

[Mr. Ronald Hooper.]

To say that because the independent candidates generally polled a quota an independent member should be elected is absurd. When the independents dropped from the bottom of the poll their ballots went to the next choice, and in many cases they went to another party, many of them went to the government. The government built up an extra quota from independent votes. Some went to the conservatives—a great many went to the conservatives. The conservatives built up from 13·7 per cent to 20 per cent and elected two members very largely because of the dropping out of the independent candidates. For instance, the man who was more interested in a bottle of beer than in the election would mark his first choice for the wet candidate; after that he proceeded to vote straight along party line. Those independent votes finally came back to the party. Care was taken to see that the election should be run properly because it was an important election. Supervisers were appointed to supervise the counting and good men were obtained. Mr. Ferguson, the general manager of the Great West Life, volunteered his services as superviser. Mr. Parker, who was president of the Winnipeg Board of Trade, also took a strong part. I say that to show that they picked good men to sort the ballots. In some instances, they had university students; in some instances, young clerks; and in a few cases they had young insurance actuaries. This was the first election and every effort was made to have it run properly. The election went off without a hitch. You have been told that they took one or two weeks and members were on the verge of breakdown waiting to find out whether they had been elected. Four of the members' election was known that night. The others had to wait. The longest the count took altogether was barely four days. Experience since has shown that it could have been quickened up, but we did not want to rush it. The percentage of spoilt ballots we were told would be very great. The actual percentage of spoilt ballots as reported by the clerk of the executive council of the province of Manitoba was 1·72 of rejected ballots. Those were not ballots turned back unmarked, but rejected because they had been marked improperly. Care was taken to see that the people knew how to mark their ballots; the newspapers co-operated. 45 actual working hours were taken to count the ballots. That was approximately four days.

By the Chairman:

Q. With how many ballots?—A. 47,427. But at that election there were 41 candidates which was absurd, because each party had an idea that if they did not run 10 candidates they were showing a sign of weakness, whereas common sense should have shown them that they could not elect 10 candidates. The result was that we took in in lost deposits three times as much money as it cost to count the ballots, so that if a lot of candidates running complicated the machinery they paid very dearly because it cost $200 to run and 15 lost their deposits which amounted to $3,000.

That election of 1920 was watched very carefully because it was quite an experiment and there were many authoritative opinions at that time. One gentleman here has suggested—it is news to me—that Mr. Norris was opposed to proportional representation since that election. I do know that Mr. Johnson, the attorney general, up to the day he died was a strong advocate. After the election was over Mr. Johnson and others were asked to give opinions as to whether the system was successful or not. Nobody wanted to put it into force if it was not good, and they wanted to find out whether, generally, the politicians were satisfied. This is what the Honourable Thomas N. Johnson, the Attorney General of Manitoba wrote:—

> I feel that I can truthfully say that I have not now and never have had a single regret for the efforts made by me personally in connection with the introduction of this reform into our election laws. The pro-

portional representation system gives a more truly representative legislation than the system of single member constituencies. Everything claimed for it in the literature which we used, and with which you are familiar, was clearly accomplished. The electors of Winnipeg had no more difficulties than usual, and the counting, notwithstanding the number of candidates (41 in all), came off without a hitch of any kind.

That was the statement of Mr. Johnson the attorney general.

Now, Mr. F. J. Dixon, who was the leader of the labour party and who had been very prominent in the strike, states as follows:—

> The use of proportional representation at Winnipeg in the recent provincial election demonstrated the merit of the system in securing representation for the different parties in proportion to their numerical strength in the constituency.

It is possible that under the old system of three-cornered contests labour would have secured more seats.

> While it is probable that under the old system, with three-cornered contests, labour would have secured more seats, the labour party does not desire to increase its representation in legislative bodies by taking advantage of an antiquated system of election. It prefers to win by putting before the electors a program to meet the needs of the time and candidates worthy of support.
>
> The labour party, when numerically weak, advocated proportional representation. Now that it is gaining in strength it has no desire to recede from its former position.
>
> Winnipeg's experience certainly demonstrated the superiority of proportional representation with grouped constituencies over the single-member constituency plan.

Mr. W. J. Tupper, M.L.A., conservative, now Lieutenant Governor of Manitoba, states as follows:—

> In my opinion the test that proportional representation underwent in this city during the late provincial election was successful. As I understand the system, it is intended to give representation to all parties in proportion to their numerical strength. The result of the late election showed that the minority parties in the city of Winnipeg received representation in accordance with their voting strength. It, however, did not favour independent candidates as you will have observed.
>
> I might say that the success of the system seems to me to depend upon the efficiency of those in control of the counting. We were fortunate in this province to have exceptionally able men in charge and the result is no doubt in a great measure due to them.

Perhaps the most important opinion of all was that of the Manitoba Free Press. I will read, if you permit me, extracts from the editorial that appears in that paper under date of July 7, 1920. When the election was finished and the whole city was talking of the results, I might mention that while the counting was going on we had a regular gallery. You might have thought we were a bucket shop for the interest the people took in watching the thing run, because we had mathematicians with slide rules trying to catch us, but nobody did catch us. This is what the *Manitoba Free Press* says:—

> Winnipeg, it may be ventured, has put proportional representation upon the Canadian political map. The test the new system has successfully passed through in the recent Manitoba election is the last thing needed to demonstrate the practicability and merits of proportional representation.

Some of the advantages of the new system are very apparent. In the first place proportional representation eliminated the excitement and bitterness from the election campaign.

The leading fact, however, is that the result of the ballot has worked out with mathematical exactitude to the desired end; the elected candidates represent in accurate proportion the voting strength of the parties in the city; no votes were lost, and the voter who saw that his first choice had been defeated, knew that his vote was not extinguished, but passed on to his alternative preferences, and that in the final results he had secured his correct proportion of representation.

The independent candidates all failed to secure a quota, the obvious reason being that none of them had a sufficiently large personal following to warrant them a seat. The votes for the independents swung to the other candidates, all the parties participating; the liberals benefiting considerably and the conservatives getting from the independent transfers the strength which gave them a second seat. The fate of the independents shows that under proportional representation, unless there are exceptional circumstances, the votes they poll simply pass back to the stronger parties.

This successful work-out of proportional representation in Winnipeg will have an influence in favour of the system throughout Canada; Winnipeg was also being closely watched in Great Britain and in other centres where the merits of this system of election are under consideration. A more difficult test apparently has never been applied, and the result has fully vindicated all the claims that proportional representation gives a true and just reflection of the total electorate in the personnel of the bodies elected under its rules.

With regard to no votes being lost, that is not strictly accurate, but generally it is true.

I have many more opinions, but I think I have given you enough to illustrate.

I will miss one election because I was not present, and I do not know much about it; but in the election in 1927 I was again officiating and I have the result. The total number of votes jumped this time to 50,706. The number of candidates dropped from 41 to 29. They were given to understand that even under proportional representation they needed votes to get elected. The first choice was as follows: Conservatives polled 26 per cent and elected 30 per cent of the members; labour 30 per cent; liberals polled 22 per cent of first choices and elected 20 per cent of the members; independents polled 8 per cent of first choices and had no members; communists had 4 per cent of the vote and had no members. In these figures, you will notice that the labour party jumped from 23 per cent to 30 per cent. Again, if you examine the result sheet as published in the *Manitoba Gazette,* and take the communist vote—

By the Chairman:

Q. If I might interrupt you, you have only given us 30 per cent, 30 per cent and 20 per cent?—A. Oh, yes, labour got three members, the liberals got two members, the progressives—that is the Bracken government—got two and the conservatives got three.

Q. You did not give us the progressives?—A. No, I made a slip there. When the communist who polled 4 per cent of the total votes had dropped, in re-examining his ballots we found that nearly half of them went to the Labour candidate, Mr. Ivens, and they finally helped to elect him. Similarly there was an independent running on a wet ticket and Mr. Downes who had been a member of the legislature the term before—by that time the question of wet

and dry had been settled, and the people did not want Mr. Downes presumably. When his ballots were re-examined, it was found that a very large part of them went to another labour candidate, Mr. Ivens again, and that was the reason that labour built up another quota on the transfer from the independent candidates. I could go on and give you the results of other elections since which all bear out the same story. The proportion is nearly as mathematically correct as you can humanly hope to make it. Perhaps the figures are of interest. In the provincial election of 1915, which was the last election held under the all single member constituency in Winnipeg—these figures are given to you by Mr. Johnson, clerk of the executive council, and they are official—in 1915 the percentage of the people voting was 71·6; in 1920, the first election under proportional representation, the percentage voting jumped to 76; in 1922, the percentage dropped below the previous year to 73 per cent; in 1927, when there was very considerable interest taken in the plebiscite in connection with the liquor problem, 75·5 per cent of the people voted. That is a very high percentage. In 1932 that percentage dropped down to 65 per cent. That is explained by the fact that between 1927 and 1932 the registered vote was nearly double in the city of Winnipeg. Actually the number voting in the election in 1915, before proportional representation—the actual figure is 23,000 and in 1930 it was 47,000, 44,000 and then 51,000. In 1932 we had the highest vote, 78,000.

By Mr. Heaps:

Q. What month in the year were these elections held in?—A. All in the end of June and the beginning of July in every case. The percentage of rejected ballots they were unable to find for me in the previous election. The first figure of rejected ballots was in 1920 when it was 1·72; in 1922 the percentage dropped to 1·66; in 1927 the figures are not conclusive. The spoiled ballots and the rejected ones got mixed and could never be separated. In 1932 the percentage of spoiled ballots dropped to 1·44. So that the argument that this is going to lead to so many spoiled ballots and that the system is unworkable is disposed of. Now, many times people have said that the cost is prohibitive. That is not so. However, there was a provision—I do not know whether it was wise or not—the decision was not made by me—if the candidate did not poll, we will say, 25 per cent of the quota in first choices he would lose his deposit. I am not going to argue whether it was a good measure or not; it did have the effect that in every election this brought in enough revenue to more than cover the cost of counting the ballots. The actual comparison given to me by Mr. C. V. McArthur who was the official returning officer for the constituency in the elections of 1927 and 1932, is quite interesting. I will give those figures to show you that as they get more used to the system the cost drops and the time drops, and they improve generally. The number of persons actually engaged on the counting, not including the returning officers and supervisor was 54 in 1927 and in 1932, 63. The total counting hours engaged: 1927, 1,746 hours; 1932, only 1,663 hours. The amounts paid to persons engaged on counting in 1927, $1,895.78; 1932, $1,669.25. Estimated actual time of count: 1927, 32 hours and 20 minutes; 1932, 32 hours and 30 minutes: number of candidates, 1927, 25; 1932, 29: number of counts, 1927, 22; 1932, 24: number of ballots inspected, 1927, 51,000; 1932, 77,000: actual cost of count, 1927, $2,125.68; 1932, $1,820.05. In 1932, with more than 50 per cent increase in the number of ballots the cost dropped to $1,800, showing that by experience the cost can be considerably reduced.

I do not know whether the committee would like me to give something relating to the effect of proportional representation in the Irish Free State. I was in touch with them until the last three years. The experience is very good. It was introduced—

[Mr. Ronald Hooper.]

By Mr. Jean:

Q. How does it work in by-elections?—A. It can be done in two or three ways. That is quite an important point. The most favoured method now as the result of the experience in Ireland—

By Mr. MacNicol:

Q. In Ulster or in the Free State?—A. The Free State. Take the ten-member constituency like Winnipeg. For purposes of by-elections they would divide Winnipeg up into ten single areas and each candidate elected would choose which particular area would be his in the event of a by-election. Each candidate, naturally, would choose the area where he had the greatest help. Suppose a Conservative candidate resigned, he would choose an area where the Conservatives were stronger. The result is that a by-election is held in that area for one man to fill that seat. Unless public opinion had changed in the meantime the result would be that the member elected would be of the same political complexion as the member who had resigned.

By Mr. Heaps:

Q. What is the number now?—A. At present I think it is two. I do not think there is any justification for it. At the present time there are no by-elections for the Winnipeg member who was appointed to the cabinet. That is a good thing. There is no reason for that; that is a relic from the days of Queen Anne. We have no need for it now. If one vacancy occurred no election should be held, and if there should be two vacancies in Winnipeg they would hold an election throughout the whole of the city to fill those two seats. There are two vacancies at the present time. The government has said that the cost will be heavy and they do not wish to put the people of the province of Manitoba to that expense, but if the opposition will force the election they will hold it; but as economy is the watchword the opposition does not like to do it; as a result Winnipeg is not represented by two members, which I do not think is right.

Now, this is important because it was introduced into the Government of Ireland Act to cure a very similar situation which led to the introduction of proportional representation in Winnipeg—a very bitter feeling between different sections of the country. In the Irish Free State there were two bitter elections and the government of Ireland introduced proportional representation in the hope that it would prevent serious trouble. This is a report of John H. Humphreys who has travelled over the British empire and who is secretary of the Proportional Representation Society of which the president is Earl Grey. He is the son of the former Governor General of Canada who, by the way, was an advocate of proportional representation. This report may be taken as a sound basis. This is what he says of the election of 1933:—

> Sir, in the recent Irish Free State election proportional representation was used. I watched the election campaign, the polling and the counting of the votes, and I would beg your permission to state, in a few words, how the proportional system worked.
>
> Every borough and county seat was contested. There was a nation-wide campaign. All the meetings that I attended—some very large—were orderly, the electors listening with interest. Incidents of violence were quite exceptional.
>
> The poll was a record one. It exceeded 80 per cent in several of the counties, and in some polling districts it reached 90 per cent. Men and women voted with the same ease as in an English election. The number of invalid papers for the whole state was just 1 per cent.
>
> Generally speaking, every county was a constituency. County Dublin returned eight members; Kerry seven; Clare, five; and so on. In

every county at least one important minority secured representation. No party enjoys a monopoly of the representation in any county. In Clare, where Mr. De Valera's party had a large majority, Mr. Cosgrave's party was sufficiently strong to elect one of the five members. Practically all the electors in the Free State are conscious that they are represented in the Dáil. Compare this with the British general election of 1931. In that year in 31 out of 40 English counties, the large labour minority failed to secure any representation.

The parties in this election formed two groups—anti-treaty (De Valera and labour) and pro-treaty (Cosgrave, centre, and independents). Each of the allied parties within a group was able to nominate its own candidates in as many constituencies as it wished; the transferable vote enabled the allied parties to co-operate freely with each constituency and prevented losses through the splitting of votes. Independents also stood. There was freedom for parties and candidates; there was opportunity for electors to choose.

Then he goes on and gives the figures:—

Anti-treaty, 9,378.
Pro-treaty, 9,588.

Only a difference of about 300 votes; meaning that in Ireland there is one man and one vote and they had one vote with one value. We know that in Canada in some places it will take 10,000 electors for one member whereas in another part it will take as many as 380,000. In the Irish Free State election they worked it absolutely accurately: 9,378, anti-treaty; 9,588 pro-treaty. He goes on as follows:—

The new Dáil is representative not only in numbers but also in personnel. The leaders of parties and, with but one or two exceptions, their principal colleagues, have all been elected.

Now, that is important. In a general election in Canada it very often results in the wholesale slaughter of cabinet ministers. Just because a cabinet minister and his government goes out—because a cabinet minister cannot poll an electoral majority of a few votes in the particular constituency in which he happens to run, the country is deprived of his valuable services in opposition. I think most fair-minded members will say that the ex-cabinet minister should be in opposition. In some of the provinces of Canada—Alberta comes to my mind—there is not one single ex-cabinet minister returned at the present time. In the last general election we lost a number. In 1921, when Mr. Meighen went out of office, he not only lost his own seat, but eight of his ministers went with him and Mr. Meighen was not permitted to take a seat in the House of Commons when thousands and thousands of Canadians and the Conservative party wanted him badly, just because a little handful of votes in one corner of a constituency said they did not want Mr. Meighen. The same thing happened in 1925 when Mr. King could not get his seat in the House of Commons and he had to run the House from the side-lines. When thousands and thousands of Canadians wanted Mr. King to lead the party he was deprived of his seat because he could not poll an electoral majority in one particular constituency. In Ireland all the former cabinet ministers were returned and went to the opposition.

The percentage of invalid ballots was 1 per cent. In Ireland in that election there were less representatives elected than 2 per seat: "The total number of candidates was 245, or less than 2 per seat." In the last Dominion election the percentage was 3·6 per seat. In Ireland experience shows that this system does not lead to an ever increasing number of candidates or of parties. It also shows the emptiness of the often made charge that P.R. lead to the nomination and

election of a large number of cranks and faddists. No candidate can be elected unless he is supported by a quota of electors, and it is not easy for a "crank" to obtain either the first or the second choice of so large a body of electors. I continue to read from P.R. pamphlet No. 73 on the Irish Free State general election, 1933:—

> After election day came the counting of the votes. In most of the districts this task was completed in two days. But there was delay in Donegal, Galway and other counties where ballot boxes had to be collected from outlying districts and islands.
>
> The Irish prefer to use a small staff.

The point was raised earlier in the meeting when I was asked why persons who were interested in P.R. wanted to know what the experience of Winnipeg was.

> The Irish prefer to use a small staff. With a larger staff, such as is used in England, the counting in several divisions could have been completed in a day.

By Mr. MacNicol:

Q. You referred to England, and in so doing you are referring to the three university seats?—A. Yes. Now, you should have some opinions of various parties in Ireland as to how it works. This is from Thomas Johnson, formerly parliamentary leader of the Irish Labour Party, speaking on May 17, 1928:—

> We have had four general elections for the Dail, one for the senate, and numerous by-elections, besides elections for local government authorities, all under the proportional representation system and the single transferable vote. I can say with positive assurance that none of the parties to-day and very few individuals of responsibility have any desire for the abolition of P.R. There have been many proposals for the modification of the electoral law relating to local government; there is at the present time a joint parliamentary committee of the two houses considering the question of representation in the senate and the method of election, but no one suggests the abolition of P.R. I speak as a member of a party that has gained and lost in successive elections, but I make no complaint that the wish of the electors has been falsified in the result.

Then there is Mr. Cosgrave's opinion. I do not know when that was given. It does not say where it was given, but it was given subsequent to the election in 1933:—

> The system of proportional representation aims at affording representation to every point of view in proportion to the extent to which that point of view exists among the electorate. Broadly speaking, it achieves that object.... It makes manipulation of the electorate difficult, if not impossible. It tends to prevent sudden landslides in favour of any particular party.

The *Irish Press* had this to say on January 24, 1933, under the heading "Simple and Easy":—

> The English press correspondents sympathize with us in having to work so complicated a system as P.R. It is wasted sympathy, for the system is simple to understand and easy to carry out.

I do not know if any of you gentlemen will remember the late Joseph Devlin who sat in the British House of Commons for an Irish constituency. He is dead now; but this is something he had to say just a short time before he died.

Q. This is in reference to Ulster?—A. No. Southern Ireland.

Q. He represented a Belfast seat?—A. He represented a northern constituency. That is right. This is what he said:—

> I did not believe in the system. I thought it would be not only difficult and complex but unsatisfactory.... I became an absolute convert. The results of proportional representation in Northern Ireland are the greatest possible vindication of it.

I wanted to demonstrate that proportional representation was introduced in Ireland to provide an antidote of what might have been civil war. It was introduced into Belgium in 1926 for exactly the same purpose, I think. There was practically a state of civil war between the Waloons and the people of Flanders when there was trouble between Protestant and Catholic factions, and proportional representation was introduced into Belgium to obviate that particular thing.

Q. That is a different system from the one in Winnipeg?—A. Yes, but it gives the parties representation in proportion in this way.

Q. I want to compliment Mr. Hooper. He is the outstanding advocate of the proportional representation system in this country. He has been a long time advocating it, and he deserves every commendation for the effort he has presented this morning and I know that anything I might say will not be taken by him as in any way a reflection upon his judgment. He has confined his remarks largely to Winnipeg and the Irish Free State, and at the end of his remarks he referred to Belgium and said something about Tasmania. I was going to ask him a few questions, and probably we can get some information in the answers. The impression is that under proportional representation the parties are returned to power in the strength that they indicate in the voting. Perhaps that appears to have been borne out in Winnipeg, but I would imagine that the Winnipeg results are largely because they have had a very able man there to show the people how to use the system and how to count it afterwards. There are a large number of proportional representation systems. I do not know of any two countries with the same system of counting, choosing and so forth. If the committee decided to do so, they would then have to appoint a committee to look into the systems used in each country and to make up their mind which one they would prefer. The charts that have been used have a kind of educational value?—A. Yes.

Q. I notice that in counting the ballots for Mr. Bonar Law for second choice it appeared that every voter had given a second choice, whereas in actual practice nothing like that occurs whatever. In a simple election such as is usually carried on at universities where everybody is educated and where the number of candidates is small with a small number of people voting, it is quite natural to expect such things as that, and results would be obtained somewhat in the manner outlined on the sheets before us; but in actual practice it does not work like that.

Hon. Mr. STEVENS: Perhaps Mr. Hooper could transfer the illustrations to the actual Winnipeg sheet and give us the number.

Mr. MACNICOL: I was going to give some examples.

Hon. Mr. STEVENS: This Winnipeg one would be interesting. Could you give us the number of second choices, Mr. Hooper?

WITNESS: Yes, I have the 1927 election in front of me. Mr. Haig who was the first to go ahead drew 498 more ballots than he needed. This gentleman, Mr. MacNicol, says that in that illustration we show the second choices; that Mr. Bonar Law had a second choice in every case and that would not happen in actual elections. Mr. Haig had 498 more ballots than he required, and if you add up the ballots transferred from him you will find they total up to 498. So that every one of Mr. Haig's ballots 5,108 had a second choice marked on it.

By Mr. MacNicol:

Q. In which election was that?—A. 1927.

Q. That is after a number of years; but in the election in Australia they value these choices on a vastly different basis from that. I have before me a commission report of the Tasmanian election, where they have tried in numerous cases to abolish it but it has been retained, and the value of the first choice is 80. In the 1916 election, therefore, the first choice has the value of 80·65, the second choice has the value of 14·40, the third choice has the value of 3·40; and the fourth choice has the value of 1·65 which would indicate that the preferences are not used at all; that the choice becomes as between candidates as to who will receive the first choice. If everybody exercises the preference it would not make much difference who got the first choice or the second choice. Whoever gets the first choice which is 80 per cent of the value leads the contest. When parties are running on a slate in any case like Mr. Hooper has indicated I would like to know where ten are to be elected. There are the Liberals and the Conservatives and Labour?—A. Not now. They did in the first election; but we have learned by experience that they cannot elect the ten so they do not. They generally estimate their strength, say, 40 per cent, and instead they run four candidates and two in reserve—six.

Q. They get out cards for the voters—hand the cards out at the different committee rooms—I do not suppose they are allowed to hand them out at the polling booths. The cards may read like this—I will give a list of arbitrary names: Hay, Thompson, Smith, Johnson. If a man goes in to vote he has this card with the names on it. All the other names are of this kind, and when he gets in there, if he is going to vote for Hay first he puts down 1, and Johnson 2 and 3 and 4 and so on, if he had the choice. The fact is he does not do the choosing using the ten choices which he is entitled to.

The CHAIRMAN: This is merely a matter of argument. Might it not be well to ask as many questions as we can in order to clarify Mr. Hooper's remarks. We will be glad to hear you and have you put that on record. Mr. Hooper said something about plumping. Can a voter in the Winnipeg election vote for one man?

WITNESS: Yes, if he wants to, but they do not do it. In Australia they compel them to mark their preferences; if they mark only two the ballot is invalid.

By Mr. McCuaig:

Q. In a by-election you get the result indicating whether the government has the confidence of the people or not?—A. In a by-election under the system I explained, dividing Winnipeg into ten separate areas, and the candidate when he was elected picking on the particular area used for the election, if he were to resign, the voters in the area he would choose would naturally be favourable to his party, or he would not choose it. Other candidates are put up if there is a change in public opinion in Winnipeg between the general election and the by-election.

Q. The change of opinion would record itself in the election just as it might record itself in the vote, but not in the result?—A. If there had been no change of opinion.

Mr. CAMERON: Does the resigning candidate select the candidate himself?

WITNESS: Immediately after the election.

By Mr. McCuaig:

Q. Supposing they did not agree on the areas, who will decide that?—A. I could not tell you. I cannot imagine, because I have followed them fairly closely and I have never heard of that arising, and if the question had arisen I imagine I would have heard about it. It is conceivable that it could happen.

Mr. Good: If I might interrupt to give some information on that point, I think in some places the system is that the winners in the election choose their territory in the order in which they have been elected. That eliminates the difficulty you mention.

By Mr. Glen:

Q. In Winnipeg today there are two vacancies in the local house, is that right?—A. Yes.

Q. How would the election be brought about?—A. Under the present law they should have held an election some time ago. If the election were for two members from Winnipeg using the single transferable vote it would be on the P.R. system, only the number of candidates, instead of being ten, would only be two.

Q. As far as the country is concerned—the rural districts—do you think the single transferable vote should apply?—A. Yes, I would like to have spoken on that, but I did not want to worry the committee. The Norris government introduced proportional representation in the constituencies of Winnipeg, the Bracken government introduced the alternative vote for single member constituencies in the country. The alternative vote is exactly the same system of voting as proportional representation but you only elect one candidate instead of a number. The majority gets the representation. My opinion is that it is not fair.

Q. What is not fair?—A. The use of the alternative vote in the country and proportional representation in the cities. It is a debatable point.

Q. Was it ever put into practice?—A. It is in practice in Manitoba now, and in Alberta.

Q. Has an election ever taken place under the transferable vote?—A. Yes, two, and in Alberta.

By Mr. MacNicol:

Q. That is the alternative vote in the single member constituencies?—A. Yes.

Q. Would you recommend P.R. for rural constituencies?—A. I would recommend the adoption of P.R. by degrees in rural constituencies. I would not like to see those constituencies too large at present.

By Mr. Glen:

Q. You would have to combine the constituencies. You could not have it as at present where you have only one constituency and one candidate?—A. Yes.

Q. Would not that be a terrible job for candidates in an election of that kind?—A. They use the whole county in Ireland.

Q. A county in Ireland—

Hon. Mr. Stevens: You could lose Ireland in the corner of some of these constituencies?

Witness: Yes. There is one point there that I would like to emphasize. The same argument was used in connection with Winnipeg. They said that with a big city like that and one constituency it would be an awful business to canvass that constituency. That is not so. Let us take a single constituency with 100 voters. By the present system you would need to poll 51 votes out of 100. To that one constituency we will add four more and make it a P.R. constituency with 500 voters in it and elect five members. You will only have to poll in that case one-sixth of 500, about 90 votes. Which is easier to do, poll 51 votes in one little corner where there are 100 votes or poll 90

votes where there are a thousand votes to choose from. The experience has been that it is easier to poll 90 voters where there are a thousand than to poll 51 where there are only 100 voters.

By Mr. Glen:

Q. You have in the city of Winnipeg a sort of concentrated condition, but suppose you take Brandon, Dauphin and Marquette together, how in the world could anyone go over that territory and get their viewpoint over to the people?—A. It is difficult, I suppose.

Q. It is a terrible job?—A. You do not have to poll anything like a majority.

Q. Is it possible; is it practicable?—A. I maintain we had experiences in other countries.

Q. Other countries are not as large as we are. Take the three I have mentioned, you could put Ireland pretty well into that?—A. It was after difficulty that both the Alberta and Manitoba governments adopted the alternative vote in the rural areas. The argument advanced against that in Winnipeg is this, that in the country districts it deprives the Conservatives and Liberals of representation very largely, and when you use the P.R. in Winnipeg you give the farmer government an opportunity to elect two members in the city. It is said that if we did not have proportional representation in Winnipeg they would probably elect ten members in the opposition; but using the system they elect two members to the Bracken government. Some maintain that is not fair. But that argument can be met this way: the two members of the Bracken government in the city of Winnipeg happen to be cabinet ministers, and it can be maintained fairly that it is better for Winnipeg rather than to have ten members in the opposition to have eight members in opposition and two members in the cabinet.

By Mr. McCuaig:

Q. Why is it better than electing ten members in one political party if the majority of the people wanted the ten to be of one political party?—A. If you are going to elect ten all of one party you are discouraging the minorities.

By Mr. Glen:

Q. And if there were ten candidates put up and only three seats would it not be a contest as to how they would agree?—A. That does not happen.

By Hon. Mr. Stevens:

Q. Suppose you get ten labour men in Winnipeg and they are all canvassing and asking for support of the labour party in Winnipeg, the people will say, "whom shall we support?" Is not there a fight as to who will be the three members in that party?—A. I am not aware of it. What they do is that they estimate that they can probably take four seats and they probably run six. They say on their literature, as Mr. MacNicol has pointed out, "we are running these six. You will see on the billboards the labour candidates, and the names are given; vote all those candidates in the order of your preference." They do not fight among themselves.

By Mr. MacNicol:

Q. Don't they fight to have the first choices?—A. They do not fight among themselves. They may appeal to the voters.

Q. They appeal to the voters for first choice?—A. They may do it. I may suggest that you have in the house Mr. Maybank who has been elected

under this system and he, Mr. Chairman, as a candidate, could give you more from experience than I can.

By Mr. Glen:

Q. From your own knowledge, suppose Mr. Heaps and I were running in Winnipeg against each other, and we were both asking for the first choice? —A. Yes.

Q. Would not that be a fight if we were of the same party?

Mr. MacNicol: That is what it develops into.

Witness: It does not lead to recriminations, if that is what you mean, because you are not, as a member of Mr. Heaps' party, you are not going around to the labour voters saying—

Mr. Glen: Yes, sure; I would.

Witness: This is what will happen: you might antagonize a lot of labour people by doing so.

By Mr. MacNicol:

Q. You referred to New South Wales and their happy experience with proportional representation, and they did have it there for two elections, perhaps three, but that was their trouble; that was one of the reasons for abolishing it, because the fight arose among the members of the same party for the first choice, because the first choice had a value of 80 per cent; and they finally abolished the system?—A. Mr. Chairman, they have had 16 civic elections in the city of Winnipeg under this system, and I am a newspaperman, and I am not aware of any trouble from that source; I am not aware of any dispute between labour or non-labour candidates running in the same district.

By Mr. Glen:

Q. Would not proportional representation tend to create group government?—A. No, sir. I think it would tend to create the opposite effect. I can give you evidence if you wish it. I will submit evidence that the present system is tending to do that.

By Mr. MacNicol:

Q. In Germany they had proportional representation?—A. In Canada in the last election there were five major groups running, and four or five smaller groups were also in the field, including communists, U.F.O. and U.F.A. I maintain the present situation causes groups because of the rigidity of the two-party system. The experience has been where proportional representation has been used that it tightens up parties and leads to freedom within the party. That has been the experience of Belgium, and Belgian statesmen have used the list system, but it does not matter. Mr. Georges Lorand, the radical leader in the Belgian Chamber of Representatives has said:—

> We have used it (proportional representation) for thirteen years, and we have had six general elections with the new system, and the result is that not a single party nor fraction of a party is opposed to the reform; its extension is inscribed in the program of all the parties.
>
> It has been said, by opponents of proportional representation, that it would lead to the splitting of parties, but it has had the opposite effect; parties far from splitting into fragments have brought their ranks closer together, but within these ranks they have found room for such diversity of opinion as may exist, nay, as is essential within any living and active political force.

Q. You have a sample of the ballot there; how many parties are on that?—A. Six. Some of them may be independents.

By Mr. Glen:

Q. Is their experience this, that they have a government with a sufficient majority to carry on?—A. That has been their experience.

Q. How does that apply inasfar as representation by other parties according to their votes—how could they have a government with sufficient majority to carry on?—A. Why not?

Q. Is it not so that they have so many parties in the house?—A. In Belgium?

Q. Yes.—A. I think not, sir. They said that the trouble with proportional representation was that it made a government too stable; you have so few parties in the house.

Q. What about the independents? Are they representing the people?—A. If the people want them.

Q. Is that the experience?—A. I can give you that in this next citation.

Q. I do not see how you can have a stable government and have all those groups?—A. This next citation is taken from "How the World Votes." Two men have examined this system, and on page 201 they say:—

> The three great parties continue to poll the largest part of the votes. Public interest in politics has been enlivened by reviving vigorous and effective party activity, and preventing the tyrany of the majority.

Mr. MacNicol: Do you know how many parties they have in Germany?

Hon. Mr. Stevens: One.

Mr. MacNicol: At the moment, yes; they have a dictator; but prior to that they had about 25 parties.

Witness: They probably had. I do not think they used proportional representation in Germany. I do not think so, sir. It has been stated that they used it in France and that it failed. I think I can dispose of that. They did not use proportional representation in France really. This is a quotation from the Proportional Representation Review published in Philadelphia in October, 1927. This is what they have to say about France:—

> We record with relief that France has abandoned her so-called proportional representation law. The electoral law of 1919 was repealed by the Chamber in July. This law, which we described in detail in connection with the last French elections in our issue of October, 1924, gave all the seats in a department to any party which could poll an absolute majority of the votes and even in case there was no such party was almost certain to give the largest party more than its share. It led to unnatural coalitions for the sake of winning the coveted majority prize and thus obscured the issues for the voters and put persons in power who could not work together.

Mr. MacNicol: The same as in Belgium.

Witness: It is not proportional representation:—

> Because it purported to be a proportional representation law, having been originally intended as such before it was amended to secure the assent of the French senate, its evil effects have been cited against P.R. far and wide and have been a real obstacle in the path of electoral reform.
>
> France now goes back to the single member district system. . .

It was not the proportional representation system they had.

Mr. MacNicol: It was scrutin de liste system was it not?

Witness: All I can say is that this review says that the system used in France was not proportional representation.

By Mr. Glen:

Q. Coming back to Canada, can we have proportional representation carried out properly both in the cities and in the rural districts? Can that be done?—A. It could be done, Mr. Chairman, but care would have to be taken.

Q. What care?—A. You would have to get reasonably intelligent men to supervise the counting, but it could be done.

Q. We had seventeen members returned from Manitoba, how would you divide up Manitoba so as to have proportional representation?—A. I am afraid I have not given that consideration.

Q. Can you name one seat where it could be done? You know Manitoba as well as I do?—A. No, I do not think I do.

Q My seat is about 130 miles by 60 miles and Dauphin is longer and broader; could these two be put together under proportional representation?—A. I would think it would be unwise to try it.

By the Chairman:

Q Is it not a fact that the Proportional Representation Society state that it is scarcely workable except in constituencies where you have maybe a concentration of votes?—A They do say—they do not recognize very large and scattered geographical areas There are difficulties in connection with that. In the course of time those difficulties could be overcome; but, honestly, as a citizen of Canada I think it would be unwise.

Q. Why do you say that the alternative ballot in single member constituencies is not fair with proportional representation in the cities?—A. If I said it was not fair I am afraid I should have said that it is contended by some it is not fair. If I gave the impression that it was my own opinion, I did not mean to do it. Some of the conservatives in Manitoba—and you will find in Alberta in the last provincial election that the Edmonton Journal took a very strong stand on that—they will say that the proportional representation system used in the cities of Edmonton and Calgary had worked out accurately but it had given the Aberhart government large representation in those two constituencies.

Mr. MacNicol: Do you think it did?

Witness: Yes.

By Mr. Glen:

Q. Did not they have 52 per cent of the total vote?—A. Yes, but in the country districts where they used the alternative vote it penalized the liberal and conservative vote almost entirely and by some it was considered unfair.

Q. There were 48 per cent against social credit and they only returned five members?—A. Yes.

Q. That was not under proportional representation?—A. Outside of the two cities it was the alternative vote. You can get just as unfair results under the present system. Remember the provincial election in 1919 when the Drury government came into office with 33 per cent of the total votes. The conservative party in 1919 polled more votes, but the Drury government got the majority of seats, and the province was governed for five years by a minority opinion of the province.

By Mr. MacNicol:

Q. I am trying to get information. I know you are an authority. I have always recognized you as the outstanding authority on this subject in Canada. I would like to ask you something about Belfast and Ulster. You did not refer to that at all, yet you know it was in operation and abolished. Proportional representation was used in Belfast and Ulster and abolished, and they published pamphlets as to why they abolished it. Apparently it works all right in the

Free State. What is the reason for its not working in either Belfast or Ulster? —A. Mr. Chairman, there have been some speeches in the British House of Commons which I could have brought where Mr. Craig, who was afterwards Premier of Ulster, stated in the British House of Commons when the representation of Ireland came up that he was opposed to proportional representation lock, stock and barrel and that whenever he had it in his power he would abolish it. He said this before the bill was passed because, he said, he did not want to have minority representation in the Ulster parliament.

Q. It was put in operation?—A. Yes.

Q. Under the Government of Ireland Act?—A. Yes; and the British government took this attitude at the time. They said, "we will put it into operation; it will have to be in force for five or six years, and we hope that after it has been in force Mr. Craig will change his opinion." It was in force. They held one or two elections under the system and the elections were perfectly satisfactory from the proportional representation point of view. But the Government of Ireland Act was no longer in operation and Sir James Craig kept his word and abolished it, and in the Ulster parliament to-day the minority is not properly represented.

Q. I may say that I went over to Ulster purposely to enquire into why proportional representation was abolished—I went to Belfast—and the figures I got over there were these—as far as the whole province of Ulster is concerned:—

342,000 Union votes elected 40 members.
60,000 National Votes elected 6 members.
104,000 Republican votes elected 6 members.

In the city of Belfast:—

120,000 Union votes elected 15 members.
35,000 National votes elected 1 member.

My memory is that is the first election. That would not be representative at all?—A. I do not see how such a result would be possible if they used proportional representation.

Q. These are the results as far as the official government figures go: in the county of Down South there were 50,000 Unionist votes electing 6; 29,000 Nationalist votes electing 2: Antrim, 22,000 Unionist votes elected 6; 20,000 National votes elected 1. I have no doubt there are cases like Winnipeg, but apparently these results were entirely opposite, and the results in New South Wales were entirely opposite, because I have a couple of reports of the royal commission that investigated it, and the government afterwards abolished it. Just for the purpose of information, I may say that in the city of Edmonton 24,000 Social Credit votes elected 6; 8,000 Liberal votes elected 1; 6,000 Conservative votes elected 1. The first Social Credit candidate elected was Mr. Manning and he had 6,087 votes. He was declared elected because that was away beyond his quota. Mr. J. Irvine had 2,529 first preference votes and was elected also,—He was away down—whereas Mr. Deverish polled 3,332 votes and was defeated. He had nearly 500 more first preference votes but did not obtain election. That would not seem to me to be very reasonable?—A. The votes would be transferred as the voters wanted them to be transferred. I have not details of the candidates in Edmonton, but I saw the first choices for the various parties. I have the votes summarized by parties. The Liberals polled 14,000 votes and elected 3 members; Social Credit polled 13,000 and elected 2 members; the Conservatives polled 4,800 and elected 1 member.

Q. What city is that?—A. Edmonton. That is accurate.

Q. I got mixed up with the two cities, Calgary and Edmonton. Here is the Calgary vote, 24,000— —A. Social Credit 24,000 votes, 59 per cent of the first choices and elected 66 per cent of the members, which is reasonably close; Liberals 19 per cent first choices and elected 17 per cent; Conservatives 13 per cent first choices and elected 17 per cent. Labour did not elect anybody.

Q. Were those figures correct?—A. 24,079 Social Credit votes were cast; Liberals 8,000; Conservatives 5,505; Labour 1,869; Independents and Communists 1,740.

Q. Have you the Edmonton figures? 14,000 Liberals elected 3?—A. Yes.

Q. 13,800 Social Credits elected 2?—A. Yes.

Q. 4,800 Conservatives elected 1?—A. United Farmers 2,000 odd elected none.

Q. The first man was W. R. Hairn with 9,139 votes, and away down the list of candidates is Edward O'Connor elected with 1,116 votes. That was first preference. He was elected by second, third and fourth choices, perhaps. That struck me as kind of unreasonable—that where one man obtains 9,139 preference votes and another gentleman gets 1,116 first preference votes they both become elected in the end, whereas W. S. Hall, Social Credit with 2,218 votes was defeated?—A. I am not expressing an opinion on that without the results before me. I might express an opinion then. All I can say is that the Edmonton Journal which followed this thing quite closely was quite satisfied with the results and said that whatever the new government did it hoped it would not do away with Proportional Representation in Alberta. They evidently thought it was fair.

By Hon. Mr. Stewart:

Q. In order that the system should work it is desirable that every voter should exercise his choice all the way down?—A. It is in the voter's own interest.

Q. No; it is in the interest of the system?—A. No. If a man plumps and marks the figure 1 against a candidate and does nothing else he is only hurting himself. Supposing that his candidate is at the bottom of the poll and has to be eliminated, that voter has virtually said to the returning officer, "I am only interested in my No. 1 choice."

Q. Should not the voter exercise his choice all the way down?—A. If you believe in the principle of compulsory voting; if you do not, no. I do not believe in it. You can take a horse to water, but you can't make him drink; you can take a man to the polls, but you cannot make him vote.

Q. Do you think a voter is taking advantage of the system if he votes for only one?—A. No. He is hurting himself, not anybody else.

Q. He is not giving the system the chance to work that you think it should have?—A. That is quite true, but the experience has been that nobody does it. Take the case of Haig, he had a huge vote and there was not one plumper.

Q. That is in the city of Winnipeg?—A. Yes.

Q. Do you think that the electorate of Canada would require a lot of instruction?—A. Yes. To introduce anything you have to give some instruction, but remember this, in Winnipeg we did a good deal of work, we were doing it for ten constituencies, but I believe that the amount of work we expended in making Proportional Representation successful in those ten constituencies was no more than the amount of work required to run an ordinary election under the present system in ten single constituencies.

Q. How would it work out in ten single constituencies? Would it be easier?—A. Under the present system, in ten single constituencies a lot of mechanical work has to be done in connection with getting out the vote. In the case of Winnipeg we had only one body doing the work for the whole town—only one returning officer for the ten constituencies, and while we had a fairly large counting staff—if I told you that we had 32 counters you would say that was a lot of men—we have work for 32.

Q. Do you think the system lends itself to the establishment of tickets—Liberal, Conservative, Social Credit, Reconstruction or others?—A. Not more than the present system.

[Mr. Ronald Hooper.]

Q. The present system is based on it?—A. Not more. No, I do not think it does. I think if you had proportional representation you would find that parties would not be so rigid as they are at the present time. Where they can only run one candidate in a constituency they tie a man down to a party platform, but where a party was running four or five candidates in the one constituency like Winnipeg, the Conservative party, say, could allow their four or five candidates a little leeway.

Q. In what way?—A. With regard to questions outside of the straight party platform. That was illustrated in the Manitoba election in 1920 when the Liberal party ran a number of candidates, one being dry and one being a wet. They were all running for the Liberal party but they disagreed on that question.

By Mr. MacNicol:

Q. Suppose you and I both get a vote and each one has a sealed ballot on which there are in the Winnipeg riding ten names, and I go in there and I choose to vote for Ronald Hooper—that is being a plumper—and you go in there and you exercise your privilege of voting from 1 to 10; if there are 50 candidates you go on down to 50; would not that make my vote—supposing you confined your vote to 10 and I to one—would not that make my vote more valuable than yours?—A. No, not as far as the first choices were concerned.

Q. You dissipate your vote on the second choice?—A. You say, if you are voting for me, "I want to see Hooper elected; and if he is not elected I have no interest in the election." If I voted I would say, "I want to see MacNicol elected, but if I do not get him elected I want to see someone else elected." My interest would be greater than yours.

Q. Would not that make your vote of less value than mine?—A. No. My interest in politics is greater than yours.

Q. I vote for one man; he gets the full voting strength. I vote one and you vote one and then two?—A. Yes, I see your point—no, because my second choice on my ballot would not have any effect at all, until it is shown—my first choice is the only choice considered and is going to be put against the candidate for whom I voted. My other preference is not considered if my first choice is dropped. Then the returning officer takes up my ballot and says, "this chap is going to lose his first choice, but he will get his second choice. My first choice is of no more value than yours.

Q. Suppose I set up another argument: you exercise your ten choices and I exercise only one, does that give your value more strength?—A. No.

Q. Why not, because you voted on your second choice for another candidate, and I did not; therefore, your second choice might elect him?—A. It does not give my first choice any greater value. It means if my first choice is out of the running. I have said that I want my first man, but I will be glad to get my second one; you have no second choice.

Q. But am I doing it?—A. Are you doing it? You do not make any difference in the value of your first choice.

Q. I would not have anything to do with taking a second or third or fourth man, but you would have?—A. It is your own fault.

Q. Is not that the reason that in New South Wales it was unsatisfactory the first time they tried it? I am not sure whether they recommended that it should be compulsory the first time?—A. I could not tell you, I am sure.

By Mr. McCuaig:

Q. If you tried it in Canada, would it be well to try it in the larger cities first as an experiment?—A. As a practical question I think it would be. You would have to be careful to do justice to all the parties. It would not be fair to try a city, say, like Montreal where, perhaps, the Liberals are pretty strong

at the present time and allow the Conservatives to get seats there which, otherwise, they would not get and not, at the same time, counterbalance that by trying it in Toronto where, I suppose, the Conservatives are stronger.

Q. Would not one more or less balance the other?—A. You would have to be careful to effect a decent balance; then it would be fair enough.

By Mr. Taylor:

Q. Would you admit that under this system you would encourage an increased number of candidates in elections?—A. No, sir, I would not. I tell you in the last Dominion election the number of candidates was 3·6 per seat; in ten years it has never been as high as that in Manitoba where in the case of P.R. it has been 2, 2·9 and 2·5; and in Ireland where they have used the system for years I quoted from a report where the percentage was less than 2 per seat. They get rid of that because of the fact that it takes votes to get elected under P.R. as in any other system. In Ireland in the last election less than two candidates ran for each seat.

By Mr. MacNicol:

Q. In the last Alberta election there were 20 in the city of Calgary and 27 in the city of Edmonton?—A. They will soon learn the difficulty.

By Hon. Mr. Stewart:

Q. Looking over Canada from Halifax to Vancouver, considering the rural areas as you know them, do you think it is feasible or desirable that we should apply proportional representation to the rural parts of Canada?—A. That gets into the element of politics.

Q. No, I am not speaking of politics—no, I mean as a feasible practicable proposition?—A. I cannot see any difficulty at all. The voter does not need to understand all these details. In every small town or village, if you like, there is always a bank manager or somebody like that who is quite competent to take over and run an election of this kind; there are plenty of competent men who can be got. I have been referred to as an expert; I am not an expert; I have studied this thing for many years as a citizen. In the last ten years I have not done anything at all because I am living in an area where proportional representation is accepted, and it is not attacked. I do not claim to be an expert. I have never tried to subdivide Canada into double constituencies, but I can see no practical reason why proportional representation could not be used in a rural area. We are a fairly literate people; there are not many areas in Canada where there is much illiteracy; and you can always get enough competent men with a little training to run an election. It would be quite possible to send one or two competent men around to these various constituencies before a general election and conduct a little trial count. It only took me one trial count in the case of the Manitoba legislature with ballots in front of me, and one man to whom I gave instruction, to demonstrate to the Manitoba legislature in 1920 that the system was possible.

Q. It works, you say, in the city of Winnipeg?—A. Yes.

Q. And has been there pretty long?—A. Since 1920.

Q. Why have not the rest of the provinces adopted it? You say it works well in Winnipeg and that you do not know why it could not be adopted in the rural areas?—A. I am not the government. The Bracken government did go to the extent of the alternative vote, thinking that was a step in the right direction. The alternative vote, at least, teaches the voters how to mark their ballots, 1, 2, 3, and the method of counting is very similar. But that is preliminary work, and if they did want to do it they would find it easy.

Q. You think the alternative vote is a step in the direction of proportional representation?—A. Exactly.

Q. Would you think that it is a desirable step before plunging into proportional representation in the rural areas?—A. I think the alternative vote is desirable rather than as it is, because in the last Dominion election—I have not the figures here, but perhaps you will take it from memory—more than half the members were elected on minority votes in Canada. Now, the alternative vote would correct that. It would ensure that no member would be elected to the House of Commons or to the legislatures without polling a majority of the votes either in the first or second choices. It brings us back from the split vote which has increased in Canada and is worse where we have only two candidates.

By Mr. Jean:

Q. Would not the principle of proportional representation introduce racial and sectarian parties?—A. I do not see why it should. If the people of Canada would put race and creed ahead of their politics, it probably would; but if the people of this country put their race and creed ahead of their politics it seems to me it speaks very badly for the politicians that they cannot raise enough interest in their country that the people will forget such matters as race.

By Mr. Robichaud:

Q. What is the maximum number of members you would have for each riding?—A. From three to five.

Q. I can well understand the possibility from the point of view of the voters, but what about the poor candidate who will have to travel over half a province. Consider New Brunswick. We have ten members. If you divide the province into five-member divisions we would have only two ridings and the candidates would have to travel hundreds of miles. The candidate would like to travel over his whole riding?—A. In that case you would choose three. If you chose five that is only polling one-eighth of the total vote. The meetings would be bigger.

By Mr. MacNicol:

Q. Would you name three of the present ridings in Manitoba that could be put together to elect candidates under proportional representation?—A. I have not a map in front of me. I am satisfied it can be done. I have not given it careful thought.

Q. That would be a pretty large area. Suppose you took Provencher, Springfield and Souris?—A. They would be fairly large.

The CHAIRMAN: Now, we have witnesses for to-morrow, and we should like to finish with Mr. Hooper to-day. I suggest we adjourn until 2 o'clock.

The committee adjourned at 1.15 p.m. to meet at 2 o'clock p.m.

AFTERNOON SITTING

The Committee resumed at 2 o'clock.

The CHAIRMAN: Gentlemen, we will proceed.

By Mr. MacNicol:

Q. When the committee rose I was rather mixed up on a part of Mr. Hooper's presentation. In the earlier part of his remarks I understood him to reply to the questioner that he would not recommend proportional representation for rural seats as we have them in Canada at present—I presume he meant owing to the sparsity of our population—but before the committee rose in regard to a question asked by Mr. Stewart he gave an opposite opinion to that when he stated that he would recommend proportional representation for rural seats.

During the lunch hour I procured a map of their Manitoba seats, and I would appreciate it very much if Mr. Hooper would outline what, in his opinion, would make a proportional representation seat for the province of Manitoba for the seats outlined in that group—any one seat returning three members?—A. I have never studied it from that angle, Mr. Chairman. Winnipeg would remain as it is. Of course, you would not necessarily have to group three existing constituencies. You will probably find in the constituency of Neepawa that the population is probably bigger in the east end than in the west end of the constituency; in Macdonald it would probably be bigger in the north than it is in the south. You could enlarge Portage la Prairie to take in a portion of Neepawa where the population is thick and take in a portion of Macdonald and come, probably, closer up to Winnipeg; but obviously, to look at that map and say I would put three things together and make Portage la Prairie constituency, Neepawa constituency and Macdonald constituency into one would probably make for too large a geographical area.

Q. My memory is that the Manitoba seats are nearer to the parliamentary unit than the present seats in Ontario. That is one reason why I secured the Manitoba map—because it is more uniform than that of Ontario?—A. Uniformity as to the size of constituencies would not correct the anomolies of the existing system. It would not make any difference if you had every constituency in Canada exactly the same size as far as numbers of voters are concerned, you could still have the same unjust results as you have under the present system. I can illustrate that from a chart I have. This is based on an area that existed in Australia in one of the mining districts. It is very similar to a situation that existed in Australia some years ago. This is an area around the mines where there were some 20,000 labour supporters, and outside of the mining area, in the cleaner country, were non-labour voters. That was about the position that existed in Australia. They were re-distributing and the question arose as to how they could divide this particular area consisting of 20,000 labour voters and 30,000 non-labour voters into three single member constituencies. That was the problem that the Australia government was up against at that time. The government at that time was non-labour. In five single member constituencies there were 50,000 voters. On an equal basis to make every constituency equal you would have 10,000 voters. They could have divided in this way: they could have taken half the labour voters and they could have done what Sir John A. Macdonald is supposed to have said—they could have "hived the Grits"—they could have hived the labour voters in one constituency and made them a present of that and distributed the remaining 10,000 into four constituencies and they would have had in the majority in every one of them. Therefore, labour with 20,000 voters would have got one seat; non-labour with 30,000 voters would have got four seats. It would have been a gerrymander of a pretty sharp character. But they were smarter even than that. This is what they did: they divided them into five very nearly equal constituencies as far as voters were concerned and they managed that labour should be in the minority in every one with the result that labour lost every seat. Thirty thousand non-labour votes won the whole five seats, and the 20,000 labour votes remained without representation at all. That was considered pretty astute. Labour asked for the introduction of proportional representation to correct such a condition as that.

Q. You are speaking of New South Wales?—A. Australia. They did not get it. They asked for it. The labour opposition said, "give us proportional representation and correct anomalies like that"; but the government would not do it. However, when the war was on as you remember labour opinions in Australia gained ground rapidly and it was not long before labour began to get the majority in each of these seats. The result was that at the next election labour had the majority in these five seats and won them all. Then the former

government, now in opposition, said to the labour government of Premier Hughes: "Some time ago the labour party was asking for proportional representation; we were busy with the war at that time; but now we think we would like to have it." The labour government said, "Oh, no, the system that carried us into office is good enough for it." They refused it. But the effect was bad for the labour government of Australia, because the rank and file of the labour party in Australia, judging their strength in the country by their overwhelming representation in parliament, began to force upon the labour government radical education which the government knew perfectly well the country would not stand for. Relatively, the representation in the legislature was 85 per cent labour, whereas the voting strength in the country was only about 60 per cent.

Q. When you speak about the legislature are you speaking of the state or the commonwealth?—A. The commonwealth.

Q. To finish the question I asked a while ago. Let us get something as nearly concrete as we can. What is your opinion about dividing the rural ridings in Manitoba along the lines of proportional representation?—A. I was trying to answer the question that you asked afterwards. The uniform constituency would, perhaps, help us with the problem. I am trying to show you that a uniform size of constituency would not help solve the problem. The situation could be just as unjust under equal constituencies as at present under unequal sized constituencies, and this illustration proves it. To go back to your question—I do not know whether you will think I am trying to hedge or not, but I am not; I have never thought how these constituencies should be divided. It does not follow that you have got to take three existing constituencies, because in any redistribution the boundaries of those constituencies might be changed in any event, and the population of Manitoba might have increased sufficiently that in some of those areas it would be geographically much smaller in the future than it is at the present time.

Q. If one were smaller it would follow then that the adjacent riding would be larger?—A. Yes. Then I thought I made myself clear this morning. I certainly would not suggest that a constituency like Selkirk be added to another one that is for all practical purposes quite large enough. That would not be reasonable.

Q. We could not apply proportional representation to all the rural ridings in Manitoba, could we?—A. Theoretically it could be done, but practically I think it would be foolish to do so.

Q. I think that is clear enough.

By Mr. Purdy:

Q. Have you ever attempted to figure out what the set-up of the present parliament would be if there had been proportional representation in Canada?—A. Well, I could. I have figures here, but they are not very valuable because if you had a different system of voting the people might have voted differently.

Q. It is quite reasonable to suppose that neither of the old line parties might have had a majority?—A. It is reasonable to suppose, but I do not think that would have been the case. I think in the last election the Liberal party would have had a majority, but not as big a majority.

Q. It is conceivable that it might not?—A. It is conceivable, and it is also conceivable that you might have a situation such as I instanced in the case of the provincial election in 1919, when the Drury government came in after only polling 33 per cent of the vote.

Q. Supposing that we had such a thing in existence, it might mean that either the C.C.F. or the Reconstruction party or probably both might control the government to-day—A. The so-called difficulties of a small majority are different where there is an election by proportional representation than under the present system. Where there is a very small majority under the present

system, the experience in Great Britain has been that the opposition, knowing that every election is largely a gamble, are willing to force an election, knowing that a very slight change in the vote in a number of constituencies might throw one government out and bring another one in; but in the case of a government elected under the proportional system a slight change over of a few votes would have a very slight effect upon the representation of the house. The result is that if the opposition forced an election I believe that the vote would be the same as the vote at the previous election, and the composition of the house would not be changed. That has been the experience.

By Mr. MacNicol:

Q. You said something about the small counts of votes. I have brought down the official returns from Tasmania. In the election of 1909 the votes were counted 54 times in the riding of Bass, 18 times in the riding of Wilmot, 16 times in the riding of Darwin, and 109 times in the riding of Dennison, and 37 times in the riding of Franklin. That is a lot of times to count ballots.

Hon. Mr. STEWART: How many candidates were there in regard to that larger number of 109?

Mr. MACNICOL: The number of candidates in that riding was 16. I find that all the way through in the elections in Australia where they used P.R. that there have been a large number of candidates in the field as a rule. The number of counts varied from the last one I gave you up to—I am speaking from memory —191 times.

WITNESS: Mr. Chairman, I have not the Tasmanian figures in front of me, but here is a copy of the results of the Winnipeg election of 1927. There were 24 counts in the election; there were 29 candidates. There could not have been more counts than that because there were not candidates to justify the counting; but the point I wanted to bring out this morning was that it is not correct to say that the total of ballots in that election was 51,000. It is not correct to say that 51,000 votes were counted 24 times, because the twenty-fourth count was to remove a surplus of 92, and only 92 ballots were counted, but it is called a count although only 92 ballots are involved.

By Mr. MacNicol:

Q. I am referring to it in the same way. I did not mean to infer that every ballot was counted?—A. A lot of people honestly do make that mistake.

Q. I tried to infer that in the riding of Dennison the ballots were counted 109 times?—A. There are 109 counts; but that is the point I want to make clear—that the counts are not by any means the full number of electors in that particular election. In Winnipeg there were 51,000 votes, but the twenty-fourth count only included 92, the twenty-third count included 155 ballots and in the twenty-second count only 3,411 ballots were counted.

Q. You also said something which I think, perhaps, it would be well to refer to for a moment as to the number of candidates per riding; and you also said something about spoiled ballots; and did I hear you say something about the percentage of voting?—A. I did make some reference to New South Wales.

Q. I remarked before that in New South Wales they appointed a committee or commission after each election to find out why this system did not work, and they finally abolished the system. I have a return of the investigation for the year 1922. I could give each one of those for each seat: the number of candidates and the number to be elected, and the percentage of spoiled ballots, and the total vote polled—the percentage.

The CHAIRMAN: I think that would be good to have.

[Mr. Ronald Hooper.]

Mr. MacNicol: Using the same ridings the spoiled ballots and the percentage of voting were as follows:—

Spoiled ballots	Percentage of voting	Spoiled ballots	Percentage of voting
4·0	65·6	3·2	64·3
3·7	69·0	2·3	73·0
5·0	60·5	4·5	57·3
2·8	58·5	3·1	62·1
3·5	65·9	3·6	62·4
2·9	65·6	2·8	64·7
2·9	71·0	3·5	68·1
3·9	61·8	5·4	65·0
3·9	77·6	4·3	39·3
4·2	66·2	3·6	52·7
4·9	63·0	3·0	55·5
4·0	57·0	3·7	46·9
			61·2

The impression given by the committee or commission, Mr. Chairman, was that the number of spoiled ballots was very much larger than under the regular system generally used throughout the British Empire, and the percentage of voting was very much smaller than under the general system of voting, and that candidates were much more numerous. Those were the three reasons that were advanced for the abolition of P.R. in New South Wales.

By Hon. Mr. Stewart:

Q. What is your opinion on the matter as to the percentage of voting likely to come out under P.R. and under the present system?—A. The experience in Winnipeg has been that a slightly higher proportion has voted under the proportional system than voted previously; but you need to be careful, a lot depends upon the issues.

Q. The intensity of the campaign?—A. Yes; but actually if we can judge by figures the actual experience is that a slightly higher percentage vote under P.R. than under the old system. I would not claim that for P.R.

With respect to spoiled ballots, I have in my hand the return of the chief electoral officer of Tasmania. I forgot I had it with me. In reference to the spoiled ballots in the state of Tasmania where they use proportional representation and in particular reference to the election of 1922 he says, "the percentage of informal ballots was only 2·6 of the whole, much lower than for any senate election." In the senate elections they do not use proportional representation. The inference to be drawn from this report is that the percentage of spoiled ballots under proportional representation is lower than for any senate election where they vote under the old system. There is a further note to the effect that the percentage of spoiled ballots in Tasmania was increased by the fact that the voters were compelled to mark the preferences. That is, if you did not want two preferences your vote was marked as spoiled, and even then the total was not as high as in an ordinary election.

By Mr. MacNicol:

Q. How would you describe the system for electing the Australian senate? —A. I am afraid I can not.

Q. I cannot describe it myself. They elect three senators at a time from the whole state voting as one state, but they count them under the alternative vote system. It is a toss-up between the alternative vote and proportional representation?—A. I think they used to use the block system and they marked across the three.

Q. During the noon hour I went upstairs and looked over a letter. It is a typewritten copy I have of a letter sent to the Winnipeg Free Press in reference to the election of 1922 in Winnipeg, and the letter says that the Progressive group in that election had 3,412 votes and elected one candidate; Liberals had 12,556 votes and elected 2; Conservatives had 8,100 votes and elected 2. There appears to be a shortage of five other members somewhere; who would get those I do not know; it does not say.—A. What election was that?

Q. 1922.—A. No, that is the only election I have no figures for. Wait, I can give you the number of candidates, and how they were elected, although that was an election when I was not there. In 1922 Labour elected 4 candidates, Liberals elected 2, Bracken government elected 1, Conservatives elected 2; and there was one independent.

Q. Then, those figures are apparently correct. That would not very well bear out the statement that proportional representation gives representation in proportion to the voting strength?—A. Oh, I will not admit that for one moment. I have not got the figures here on which those members were elected; if I had the figures here I will guarantee I could show you that it does. It could not be otherwise.

Q. The figures you used in connection with this would make the ten members elected in Winnipeg and show that the Progressive group with 3,412 elected one, the Liberals with 10,556 elected 2, Conservatives with 8,100 elected 2?—A. I cannot say whether those figures are accurate. The newspaper may have misprinted them or the man who prepared them might be wrong; but all the figures I have examined have worked out mathematically correct as far as it is humanly possible to cut a number in half.

Q. I also read a letter signed by W. J. Donovan— —A. One of the most violent opponents that P.R. in Manitoba has. I debated it with Mr. Donovan for three successive dinners at the Blackstone Club of Manitoba, which is the lawyers' club in Manitoba, and I imagine I won the debate because Sir James Aiken who was the governor at the time said that the only thing they could do with Mr. Donovan was to make him a judge because he had been so badly beaten; and, as a matter of fact, they did make him a judge eventually.

Q. He may have got that for being a defender of the regular system of voting. I looked up some figures in reference to Ireland. Some member asked you something about the cost. I have forgotten who it was or what the observation was, but it was in reference to what the cost would be in a rural riding under P.R., and I turned up the figures for Ulster; and it appears that in Ulster the two candidates for Fermanagh and Tyrone were together representing one seat before P.R. was abolished and the average cost per member was 5,000 pounds. That is about $25,000?—A. It does not need to be, Mr. Chairman. A member of the committee referred to me as reeve of the municipality in which I live. I have contested five elections under the proportional representation system. We have a population of nearly 15,000—we are quite a little city in size—and my election expenses, I think, for every election I fought did not exceed $25.

Q. You are living in a small municipality?—A. 15,000. I can tell you how we do it with proportional representation. We have five large schools and we held five public meetings and the candidates are invited and they all state their case and then we all make one or two little insertions in the local paper, and that is all the expense. There is no need to spend money under proportional representation.

Q. In quite a number of places in the west it has been abolished—practically in every place except Winnipeg?—A. Calgary uses it.

Q. Calgary is the only other city now, is it not?—A. As far as I know Saskatoon uses it still.

Q. It was abolished in Saskatoon?—A. The reason for that is fairly plain. In a number of places—I know in the case of Vancouver it was particularly noticeable; there was a little group of enthusiasts formed in Vancouver and they pushed proportional representation too fast before the people were ready for it. They got a plebiscite through to the people and the people voted for it. One newspaper was in favour of it and two were against it. At the first election this little handful of enthusiasts threw their energies into it and made it successful; then they got it through. This little handful said, "we have got it through in Vancouver and we can just sit back and do nothing." They did sit back and do nothing. They held, I think, two elections, and it was demonstrated that proportional representation in Vancouver was hitting pretty hard at a certain element which was not doing the city any particular good. The enthusiasts who had got this system introduced had withdrawn, and after a year or two this other group which was interested in seeing it abolished organized their forces and in a stampede they got it killed. But where it has been intelligently followed, where it has not been pushed, where it has only been introduced gradually the people have realized that it is a good thing. In Calgary it was not rushed; it was gone into deliberately, and Calgary has stuck to it ever since they adopted it. Moose Jaw blindly followed the example of Winnipeg. They asked me to go out to Moose Jaw after the first election in Winnipeg.

Q. They abolished it?—A. Yes, I know. I went out to Moose Jaw, and I felt myself that the men who were going to try to handle it did not understand it, and I was not very enthusiastic in seeing it adopted. They did adopt it. They got into a tangle because they were not competent to handle the situation, and it was abolished.

Q. The vote for abolition in Vancouver was 3,809 against P.R. and 1,705 for P.R.

By Hon. Mr. Stewart:

Q. Would you say that a campaign would almost be necessary to get the people to understand the advantages of P.R.—A. I think so.

Q. How long would it take?—A. It would not take very long. Still going back to Winnipeg, which is one illustration I can give, it was not thought of for Winnipeg until the first conversation I had with Mr. Norris and Mr. Johnson which was about the middle of January. The bill was passed in March, and the first election was in June, and there was nothing done to educate the voter or the newspapers before March. Everything was done between March and June.

Q. That would be comparatively easy in Winnipeg?—A. Yes. The local Board of Trade would help. There are members of the universities, I understand, that are giving instruction from their knowledge of the subject. You would have no difficulty in getting the universities interested if it were introduced. You would probably get university students who would only be too glad to take part in the counting. In Winnipeg we pay the counters, and we have university students who volunteer their services because they are interested in the system.

By Mr. MacNicol:

Q. How do you account for P.R. being abolished in so many places?—A. I thought I had accounted for that. Proportional representation in municipalities—and it is there it has been abolished mostly—hits a direct blow against corrupt politics. But eternal vigilance is the price of liberty. After having P.R. introduced those responsible for its introduction drew out after having started the job. There they have made a mistake. Once the public

become quiescent in the early stages then is the time for the practical politician to have a thing overturned. That was the experience in two or three cities; I will not mention names; but I know the individuals that were responsible.

Q. Do you know of any city outside of Winnipeg and Calgary that has proportionate representation to-day? Perhaps Dublin has?—A. There are a large number of cities in the United States. With the example of Winnipeg beside you, it seems to me this is pretty good evidence. The municipality of St. James adopted it before I went to live there. The municipality of St. Vital has adopted it. The municipality of Transcona, where the car shops are, have adopted it. Last fall in the city of St. Boniface, which is a large city, a referendum was voted on by the people and by a vote of 2 to 1 they decided in favour of the adoption of proportional representation for the city elections. The city council of St. Boniface does not want it, and there is a big fight on at the present time between the citizens and their council. That is all taking place right around Winnipeg where they have the example right in front of them. That is the best testimonial. The fact that it has been adopted in some little isolated towns where they have made the most of it and then rejected it does not affect the major issue.

Q. Cleveland is a big city, is it not?—A. They adopted it and rejected it, and I think they re-adopted it.

Q. No, they abolished it by a large majority? —A. They are fighting a tremendous corrupt machine in places like that. It was introduced for that purpose. In 1920 the Montreal Charter Association—a commission consisting of the best public spirited men in the whole city of Montreal—unanimously adopted proportional representation for the election of the Montreal city council. It was killed in the Quebec legislature.

Q. For what reason?—A. For about the same reason as the Duke of Wellington, when he was Prime Minister of England, refused to have the rotten boroughs of England abolished.

Q. In the state of Michigan the legislature there abolished it; they did not abolish it, they prohibited its use, for the reason that they said it abridged the voting value of one American's vote against another American's vote by making them dissimilar. You do not think that proportional representation abridges the voting value of one man against another?—A. No.

Q. In the central Supreme Court in Michigan the various judges decided, after an exhaustive enquiry, that it did. I have not anything further to ask Mr. Hooper. I take it now after sizing up his remarks that it would not be advisable to apply proportional representation to rural ridings in Canada. Of course, we who come from the cities do not want to try it first.

By Mr. Wermenlinger:

Q. Since the establishment of that system around Winnipeg, in the urban centres, has there been at any time any organization or have there been organizations which have made any movement against the proportional representation system?—A. No, sir, there has been no opposition there at all; it is just accepted without any question, because the experience in 1920, after the strike, was so crucial that it was watched very thoroughly. All the newspapers watched it, the Canadian Associated Press watched it, and the result was so satisfactory that there has been no opposition since.

Q. What are the general comments in regard to the actual system when federal elections or provincial elections or municipal elections are held under this system; are there any comments among the electors as to where their preferences would go?—A. I am not aware of any.

Q. I want to find out which part of society in Manitoba is more in favour of it—is it labour or non-labour?—A. Those illustrations I read this morning I read as the result of the Winnipeg election. I read letters from the Norris government—from the attorney general—saying it had worked splendidly. I read a letter from Mr. Dixon, the leader of the Labour party—the man who was prosecuted by the attorney general—saying it had worked out satisfactorily. I also read a letter from Mr. Tupper who is now the lieutenant governor of the province saying it had worked out satisfactorily. I could have read a dozen others. I quoted from the Winnipeg Free Press which said that the system was perfectly satisfactory. If I can get the letters of other parties to show that the results were satisfactory, I think that is a pretty good average.

Mr. MacNicol: At noon I tried to find Mr. Norris' letter to myself, but I could not find it. I wrote him. Not having been able to put my hands on the letter I should not quote what was said, but the secretary of the Liberal Association—he very vigorously denounced it—I could not find that letter either, but I will quote that because I remember it; and I am pretty sure I wrote to Mr. Dixon too because I have a quotation which I must have copied from the letter. In one part of the letter he speaks for it and in another part—in the last part he says this:—

> Then there is the question of confusing voters. This is no idle dream. I have seen it in Winnipeg, and here where we have the press telling the public how to mark their ballots I have seen confusion in marking a proportional representation ballot.

There is nothing in that. Anybody can understand confusion in marking a ballot with twenty-five names on it.

Witness: I know Mr. Dixon personally. I was with him within a month before he died, and he was just as enthusiastic an advocate of proportional representation as I am myself.

The Chairman: Mr. Hooper, we very much appreciate the assistance you have given the committee. I believe I am speaking for all members of the committee when I compliment you on the clearness and exactitude with which you have put the system before us, and we appreciate very much your coming down here to give us the benefit of your studies.

The committee adjourned to meet at 1.30 p.m., Wednesday, May 6, 1936.

HOUSE OF COMMONS

ROOM 429,

April 29, 1936.

The special committee appointed to study the Dominion Elections Act 1934, and the amendments thereto, and the Dominion Franchise Act 1934, and amendments thereto, met at 1.30 p.m. Mr. Bothwell, the chairman, presided.

The CHAIRMAN: Gentlemen, we have a quorum, so we shall proceed.

W. C. GOOD called.

The CHAIRMAN: I think the committee would appreciate it, Mr. Good, if you would tell us first something about yourself and your qualifications for talking on this subject, so that your remarks may be prefaced by those qualifications.

WITNESS: Well, Mr. Chairman and gentlemen, so far as I am concerned, whatever qualifications I may have to deal with this subject are based upon a study of the matter covering almost 35 years. I may say that since I left parliament in 1925 I have not had the opportunity to get as closely in touch with the development as I would have had, had I been otherwise engaged; but I have been in receipt of most of the literature, and insofar as I can do so, I have kept general tab on developments.

I think that I might perhaps give a little background in any opening remarks I have to make, by making an historical survey of the subject insofar as my contract with it is concerned, and that will serve also to show what I have in connection with the matter. I may say that my attention was directed to this subject by a book which I read about 35 years ago—I think almost exactly 35 years ago now—written by Professor J. R. Common who was then at the Johns Hopkins university, Baltimore, and afterwards connected with the University of Wisconsin. His book was entitled " Proportional Representation " and was, I think, the first complete discussion of the subject in English. I read about the same time a book by Professor Vincent of the same university, dealing with government in Switzerland, called " Proportional Representation." It then had been in operation for many years. That was the time that my attention was first given to this matter.

In the year 1904 I had the privilege of helping to organize and participate in a convention or a conference which sat all day at the Victoria university, a conference of representatives of the educational profession in Ontario, the church and the farmers' organizations. One of the subjects which was then discussed at some length was proportional representation. That meeting gave rise, in a very few years—within two years—to the Social Service Council of Canada, which some of you may know, was a fairly large factor in Canadian life for some time, particularly prior to the outbreak of the war in 1914. The Social Service Council of Canada with which I was somewhat intimately connected for some years, also gave prominence to the question of proportional representation in connection with the whole matter of political purity and political methods. The Social Service Council of Canada is still in existence, but is not as prominent and has not been as prominent in recent years as it was in that time.

Now, insofar as the Canadian parliament is concerned, let me just mention very briefly that the matter was brought to the attention of parliament by the Hon. F. D. Monk, a conservative from Quebec, and a cabinet minister for some

time. Mr. Monk, in somewhat lengthy presentation of the question in the year 1909 brought the matter to the attention of parliament. There were some subsequent developments covering three or four years, which because of this development, resulted in an investigation. The trouble seemed to be, insofar as I can make inquiry, or get information, that Mr. Monk's health was very poor, and shortly after that he passed away. The matter was left in abeyance then until it was raised in the house by Mr. Turriff, one of the Manitoba members in the house in 1920.

The CHAIRMAN: He was a member from Saskatchewan.

WITNESS: From Saskatchewan, yes. His name was J. G. Turriff, and he subsequently became a senator. I am not sure if Mr. Turriff is still alive. I met Mr. Turriff some years ago here. He was the one who brought the matter to the attention of parliament in 1920 or 1921, and as a result of his efforts a committee of the house was appointed and sat during the session of 1921 and brought in a report. Mr. Hooper who was here yesterday gave evidence before that committee and was instrumental, I fancy, from the information which he gave them, as honorary secretary of the P.R. society in making up the report which was submitted to parliament. I came the next year, and having been interested in this subject for a good many years, took it upon myself to continue the work that had been begun as I have related.

The CHAIRMAN: You came here as a member of parliament?

WITNESS: Yes, I came here as a member of parliament in the spring of 1922. The election was in December, 1921. I introduced the matter first on May 10, 1922, when a debate took place after some extensive presentation of the subject by myself lasting until six o'clock on a Wednesday. You know what happens in these circumstances. The debate was adjourned and the resolution went to the foot of the list and was not revived again that session. However, the material is there on both sides in a fairly lengthy debate.

In the next year, 1923, on February 19, I introduced two resolutions dealing with the related matters, the alternative vote in single member constituencies and proportional representation. This resolution was debated at a very considerable length and as a result of the introduction of those two resolutions and debate on them the house accepted the principle of the alternative vote in single member constituencies, without division, and defeated the motion on P.R. by the somewhat narrow majority of 18. That vote was significant, Mr. Chairman, there was then a very considerable volume of opinion in favour of proportional representation. The debate is there in the Hansard of February 13, 1923—a fairly lengthy debate participated in by quite a number of the members of the house at that time—for anybody who cares to read it, and I think the members of the committee owe it to themselves to read what has been said in parliament on this subject in the years gone by.

After that, the government promised, through Mr. Mackenzie King, to introduce legislation to put into effect the use of the alternative vote in single member districts in accordance with the resolution passed by the house. In the next year 1924, a bill was brought in by the government and given first reading, but was not proceeded with. In the year 1925 the same bill, which had been prepared by the chief electoral officer after some consultation with myself, was brought in again, given first reading and not proceeded with. I did not discover until I had a private conference with Mr. Mackenzie King and Mr. Lapointe, somewhat later in the session, just why the bill had not been proceeded with. I do not feel at liberty, Mr. Chairman, to divulge just what transpired in the conference, but that is the outstanding fact.

However, in the year 1924, I again—

By Mr. MacNicol:

Q. That is the alternative vote bill?—A. Yes.

Q. You are not particularly in favour of that?—A. I was in favour of it, yes. The bill which had been prepared by the government, had to do only with what we call the alternative, or transferable, or preferential vote.

In the year 1924, on April 2nd, I introduced a resolution dealing only with proportional representation, and the introduction of proportional representation in Canada. That resolution also was discussed at some length and adjourned without any decision upon it. There was then in prospect another session, and it appeared as though the matter could safely be left over to be dealt with at the succeeding session; but the redistribution took place, if I remember correctly, during that year, 1924, and of course I was anxious that any changes that should be made in our electoral laws should be made before the next election and in connection with the redistribution bill. I would suggest, Mr. Chairman, that about all that can be said, both for and against all the aspects of this question, has been said here in those three debates. I think you will find the ground is pretty well covered. Every objection that I could find was then raised, and every argument for it, I think was advanced, in substance, at all events.

So far as the principle of the subject is concerned, if the members of the committee will read the debate of those three years, they will get a very clear and satisfactory idea of the whole subject. I might say, so far as I know—I have been following matters here as carefully as I could from some distance—the question has not been dealt with by the Dominion Parliament between 1925 and the present year. Now again a committee has been appointed to look into this matter, among some others, and report to the house. In view of these circumstances I think it is quite clear that the Canadian parliament have not been guilty of any undue haste in dealing with this matter. It is now 27 years since the question was first introduced by a conservative cabinet minister, and since then it has received a lot of attention.

I think I ought to remark also, that during the years 1919 to 1923 this matter was dealt with rather definitely by the Ontario legislature. A committee of the Ontario legislature was appointed I think, in the year 1919, and brought in a report to the house in 1920. I have a report of the committee on proportional representation with me. It is dated 1921. I am not sure of the exact date, whether it was presented in the 1920 session or the 1921 session, but that does not make much difference. At all events, this committee went into the matter fairly carefully and recommended in a report to the Ontario legislature that the matter be tried out in a more or less experimental way in some of the Ontario cities and in two groups of rural constituencies, one in western Ontario and one in eastern Ontario. This report is available. Perhaps you will find it in the library and you will get all the details there, if you wish them.

I may say that I was very closely in touch with Mr. Drury in the Ontario government during that time, because while he was working on it in Ontario I was working on it here at Ottawa, at least during part of the time. The Drury government, of course, was in office in Ontario two years before I came here, so they got a start there a little bit ahead of us here. You had information yesterday from Mr. Hooper about the situation in Manitoba of how they started in Winnipeg in regard to the provincial elections in 1920, and since that time the alternative vote in single member constituencies has been adopted in Alberta and Manitoba.

Now, Mr. Chairman, I do not wish to traverse the ground covered by Mr. Hooper yesterday in his very excellent address. I shall try to confine myself to other aspects of this question. I should like in the second place, after this somewhat sketchy review of what has happened, to give you my approach to the question from the standpoint of a very definite conviction that democracy is our only safety. Unless we have a firm belief in democratic principles, in the philo-

sophy of democracy, naturally we have no interest in proportional representation, because proportional representation is a device for making democracy more effective and more real. So that to those who do not believe in a democratic principle, whatever I may have to say now, in fact a good deal of what I said in times gone by, has no appeal whatever, and could have no appeal.

I am quite aware of the fact, Mr. Chairman, that it has become fashionable in recent years to decry democracy in its various aspects; and we have seen during the last few years in many places, what little democracy we had go crashing to the ground. I find all over great and possibly growing skepticism about the whole philosophy of democracy. Three years ago I took the trouble to write a little booklet on this question which I hand to the Committee. It is a very brief treatment of the whole matter, inquiring into the principles and practice of democracy. I shall leave some copies with the secretary of the Committee so that they will be available to the members to read. I have tried to give the principles and the practices as I understand them in this little booklet and it will save time if I turn it over to the Committee.

THE CHAIRMAN: Thank you.

WITNESS: I should also like to draw your attention in that connection to a very excellent address delivered last October by Lord Tweedsmuir at the University of Toronto, dealing with the same subject matter.

Mr. MACNICOL: It would be unparliamentary to quote the Governor General.

WITNESS: I am not going to quote the Governor General.

THE CHAIRMAN: It is a publication that has been issued.

MR. MACNICOL: It means that if discussion arises in the House the Governor General's judgment might be subjected to criticism.

The CHAIRMAN: Yes. From that standpoint it might be well not to put the address on the record.

WITNESS: All I can say is that it is a publication of an address given at the University of Toronto last October by Mr. John Buchan, if you prefer, on The General Philosophy of Democracy, which is very apropos of the fundamentals in our discussion.

THE CHAIRMAN: I think it might be well to leave it at that.

WITNESS: I am not going to discuss this address. I had not purposed to do so, but simply suggested that for the information of the members of the Committee it might be well to have some copies of this address typed and circulated among the members. It is not very long. You will get what I think is a very admirable treatment of the underlying principles. I will leave it that way.

Now, my own conviction is, Mr. Chairman, that without some modernization of our political machinery and some definite effort to develop a faith in and ability to use democracy, democracy is doomed. The title of this little booklet is: "Is Democracy Doomed?" That was written three years ago. I answered the question then with a qualified and somewhat hesitant negative. I am not as optimistic to-day as I was then that we could salvage what we have built up in the direction of popular government. I only hope I am mistaken in that rather pessimistic view. So far as I am concerned I desire to contribute everything I possibly can to maintain and develop whatever democracy we among British peoples have succeeded in establishing so far. I believe, however, in that connection, that electoral reform has become absolutely essential if we are going to preserve democracy, and I have no hesitation at all in predicting that unless we do that the general popular faith in parliamentary institutions will continue to decay, and that the time is not far distant when there will be some

serious explosion or some constitutional change which will leave us very much worse off than we are now.

By Mr. Factor:

Q. Have they proportional representation in England?—A. No, except in certain localities.

By the Chairman:

Q. University cities?—A. Yes; and there are a number of other centres such as School Boards and similar organizations where proportional representation has been used.

It seems to me that from the point of view of democracy it is essential that our representative assemblies should represent the major bodies of public opinion. I do not think we can preserve democracy, and I am sure we cannot improve it, unless we make our representative assemblies, as Edmund Burke put it many, many years ago, " The Mirror of the Nation," or the express image of the nation. It is not accurately possible, but it is approximately possible to do so, and in so far as we can do that, and in so far as we do do it, then we have within the confines of this building some cross section of Canadian public opinion and intelligence. That is the only way, I think, in which we can, through representative assemblies at all events, maintain democracy.

There is another rule which democracy employs which I think is essential, and that is the majority rule. The practice of the majority rule is absolutely essential, I think, in the practice of democracy. That is not the case under our present political system in Canada, and very rarely elsewhere. We do not even pretend to assure majority rule. I think if you examine the evidence you will see that for a long time past, and most of the time, it is not universally so. Of course, governments in power in our provinces and in our dominion do not represent the majority of opinion; they not only do not reflect the various bodies of opinion and the various interests in the country, but they do not assure the practice of majority rule. Now, I think that is a very, very great menace to the continuance and development of democracy.

Associated with majority rule, we cannot preserve democracy and we certainly cannot preserve what we call peace, order and good government and constitutional change unless we give minorities the right to be heard, and I think they have the right to be heard not only outside parliament but inside parliament.

That is effectively denied under our present electoral system. We have made no provision for the minorities to plead their cause, whatever it may be, in parliament.

Mr. Hooper dealt yesterday, I thought very effectively, with the immediate need which brought about the establishment of proportional representation in Winnipeg. There was supposedly a minority, at all events a section of public opinion in the city of Winnipeg that should be given the opportunity for constitutional expression in the city council and in the legislature. There was danger that it should find no opportunity to express itself. If you suppress bodies of public opinion and strong interests in the country you are bound to have social explosions, and the whole history of free institutions shows it is very necessary to afford every opportunity to minorities to plead their cause in public.

Majorities, while they have the right to rule, are usually wrong from the point of view of the future at all events, as I think history has proven; nevertheless for the time being they ought to rule because we have no other way of developing the truth except by a free expression of opinion.

By the Chairman:

Q. When you say that majorities are wrong, is that a fundamental principle of democracy?—A. I say that while minorities by constantly converting themselves into majorities show that majorities are wrong from the point of view of the future, still it is a mischievous practice to assume that majorities at the time have no right to assert their opinions.

By Mr. Glen:

Q. You do not suggest that minorities have no rights in parliament?—A. I think it is very essential that they have the right to express themselves, but not more so than majorities; but to deny them representation in parliament is only to provoke social explosions.

By Mr. Turgeon:

Q. You say to deny minorities representation in parliament would provoke explosions. Are you suggesting that minorities are now denied representation in parliament?—A. Yes.

Q. I am not arguing with you. I just want your opinion?—A. Yes, decidedly they are, under our present electoral system.

Q. That is your opinion?—A. I think that is not a matter of opinion but a matter of fact.

Q. Personally I do not agree with you?—A. Let me cite three or four of the recent provincial elections in Canada, for instance, the last Alberta election, the last Saskatchewan election, the one in New Brunswick and the one in Prince Edward Island. Those come to mind at once. They are very large minorities who are effectively denied expression.

By Mr. MacNichol:

Q. What system have they in Alberta?—A. Alternative voting.

Q. In the country?—A. Yes.

Q. But in the cities?—A. Proportional representation.

Q. And both are a failure there?—A. No. So far as Alberta is concerned, the only representation of the minority groups was secured in the last election, as was brought out yesterday, in Edmonton and Calgary under proportional representation. I do not think there is a single exception. The Social Credit party swept everything before them outside of those two cities.

By Mr. Heaps:

Q. You said you were in favour of the alternative vote in Alberta?—A. Yes.

Q. Did not they have that vote in Alberta?—A. Yes.

By Mr. MacNichol:

Q. Mr. Hooper yesterday said he was opposed to the alternative vote?—A. I did not understand that.

By Mr. Purdy:

Q. I was in the Alberta legislature for some years prior to 1921 when they did not have proportional representation or the alternative vote in any of its forms. The election of 1921 brought about almost entirely the same result as was effected in the last provincial election. That is, both the Liberal party and the Social party were wiped out of legislative existence by the Farmers' party, and with one exception the only places where either of the two old parties secured representation were in Calgary and Edmonton, and that is without any proportional representation or alternative vote. You find the same condition

under proportional representation. Edmonton and Calgary are the only places where the minority secured representation in parliament, and I judge from that, that at the time of the election the minority did not exist except in those two ridings. I am not entering into an argument with you at the moment, but just citing facts?—A. I think if you will consult the election returns at the time you will find that the minorities did exist in fairly large numbers.

Q. I was one of the minority?—A. I do not know. I have not the figures before me, but I think you will find, if you look up the figures, that a very respectable minority did not get representation. However, I would like to return to that matter a little later on. I am dealing now purely with the principles underlying this proposal. There is the threat, and you will find that it is being worked out and manifesting itself in Europe.

Mr. GLEN: I do not desire to interrupt the witness, but I think the principles of proportional representation have been pretty well presented to us now, and we would like to learn about the practical application of them. I do not wish to curtail the witness at all, but we shall be going out at three o'clock.

Mr. MACNICOL: I suggest that Mr. Good be permitted to continue until half-past two, and after that we can ask questions.

The CHAIRMAN: Very well.

WITNESS: I shall hurry on.

The CHAIRMAN: I think it would be more satisfactory if we allow Mr. Good to proceed now, and question him afterwards.

WITNESS: It seems to me that under our present system we are face to face with the seizure of power by minorities. This is quite unconstitutional under the present electoral system, but is a danger, nevertheless. It has happened in almost every one of our provincial elections, not perhaps the seizure of power to the exclusion of others entirely, but the dominance of one particular section; and even at the present time the Liberal government at Ottawa, as far as I can recall the figures from memory, represents a minority of the total vote in Canada. That, I submit, should not be permitted if there is any way out of it, and I believe that electoral reform does offer a way out.

Just in that connection I would like to tell the Committee of a little effort which, at the suggestion of Mr. Woodsworth, I made at the first C.C.F. convention at Regina about three years ago. You may imagine that I am a C.C.F. man but I am not. I always have been independent. I went out there as the representative of the organized farmers of Ontario and made an effort to introduce electoral reform, and I failed. It was very significant to me that I did fail, and also the reason for that failure. The group out there, like every other political group that I am acquainted with, is apparently willing to take a chance on getting into power whether or not they represent the major public opinion of the country. They take a chance on the swing of the pendulum. That, I think, is a threat to democracy. That is very definitely the reason why there was an objection. You will find that all over. You will find it in England. Some years ago when the Liberal party was in power and Mr. Asquith was Prime Minister he warmly espoused the cause of electoral reform. At that time the Liberals were in a huge majority and thought they were pretty safe, and were willing to take a chance on it the next time. They were left in the lurch, and ever since then the Liberal party has not been adequately represented in the British House of Commons.

You will remember the elections in 1931, when the Labour party in Britain was practically wiped out so far as parliamentary representation is concerned. As I recall the figures the popular vote for Labour and Co-operative candidates in that British election dropped from nine millions to seven millions, a drop of

two in nine, and the representation in the House dropped from 350 to 50, one-seventh. That, I think, is an injustice and a threat to order and progress.

I think it is particularly important that this consideration should weigh with us rather heavily now when there is unquestionably throughout the world a revival of belief in the use of force to effect a change. That is manifest all over Europe, and it is rapidly spreading. In a time such as this, and having regard to the temper of these times, it seems to me that we should be very careful indeed lest we do anything to encourage unconstitutional or violent action. Let us give every opportunity for orderly progress, and give minorities who desire representation the opportunity to secure adequate representation under a scientific election system, and the right to plead their cause in public. Then progress, I think, will be much safer and surer than at the present time; and I am quite sure that the possibility of resort to violent measures will be very much less menacing than it is at the present time.

Now, I am sorry, Mr. Chairman, to have taken so much time in dealing with what seem to me to be the underlying principles of democracy, and the threat that we face at the present time to our democratic institutions.

May I proceed to another department entirely, arising out of the discussion yesterday, during which a number of questions arose which I think deserve a little further consideration. I should like now, if I may, for a few minutes to address myself to these questions. I shall do so as briefly as possible. In regard to the feasibility of adopting proportional representation in constituencies which are territorially large I think we are inclined to over-estimate the practical difficulties. In Australia and in the Scandinavian countries they have had experience with rather large and sparsely settled areas, and I am quite satisfied that under existing conditions in Canada, with the use of telephones, radio broadcasts, the circulation of literature and the employment of the automobile for transportation purposes, the difficulties that might have existed fifteen to twenty or twenty-five years ago are not as great today. Admittedly there are some difficulties but I am not prepared to admit that these difficulties are serious, at all events in most of the fairly thickly settled sections of rural Canada. I would say that proportional representation could be introduced and carried out very effectively without any difficulty in the whole of the Ontario peninsula and in quite a large part of Quebec; also in at least some parts of the western provinces, and certainly in our cities. I think everybody admits that. There are a number of sections adjacent to our cities where the population is fairly dense and means of transportation and communication are fairly good. Therefore I think it will be found upon trial that the difficulties are not so great.

In that connection I would like to emphasize again the point that Mr. Hooper made yesterday, because I think it is generally lost sight of, namely, that under a proportional representation system the individual candidate does not have to appeal to all as he does now, because he does not have to get a majority of the vote. He has to appeal only to the quota.

By Mr. MacNicol:

Q. To a class?—A. No; I will not say to a class, but necessarily he makes his appeal to those who think more or less with him in respect of the particular beliefs that they espouse.

By Mr. Heaps:

Q. That does not happen in actual practice?—A. Perhaps not; I think you are right there, that even now the appeal is not made to everybody; but when a candidate has to get a majority of the total vote in order to be elected he must appeal to as many of his constituents as possible. Of course, he does not have

to do that in three-cornered or four-cornered contests, but where that is the usual situation there is some force exerted to make him appeal as widely as he can, at all events, to a very large proportion of his constituents. Moreover, in the case of parties appealing for support, groups of people who have some particular platform or interest to serve, a great deal of literature can be got out jointly, as is now done more or less from headquarters, and such literature is available for distribution.

Then I think perhaps Mr. Hooper could give testimony on this, if desired: In Winnipeg, for instance, you have several Labour men running, and there might be seven or eight candidates who could cooperate in carrying on the campaign so that one man would not have to go all over the constituency shouldering the burden of attending meetings and the expense of distributing literature; the literature could be distributed among the parties or groups who wished to make an impression upon the electorate.

I do submit most respectfully, Mr. Chairman, that before we come to any conclusions regarding the difficulties of carrying out these ideas in rural Canada we should at least make some experiments in the more thickly settled portions of the country, and we should soon find out what the difficulties are. I do not think they are as great as most of us imagine.

By the Chairman:

Q. Are you making that definitely as a suggestion for the benefit of the Committee?—A. Yes.

Q. If the Committee should decide to adopt proportional representation you suggest that they should try it out in certain specified portions of the country? —A. Yes. It was urged in the Ontario Legislature back in 1921, and I may say—I did not mention it before—that two bills were brought in in the Ontario Legislature in the year 1923 in order to follow out the recommendations of the Committee that had reported to the House. Those bills fell by the wayside in a filibuster in June, 1923, and nothing was done, and nothing has been done since. But the bills there went further than the bills here, in that it contemplated the use of the alternative vote generally throughout the area; first in Manitoba, and then in Alberta also, experimentally. Trials of proportionate representation were made in some of the other cities and in selected areas in rural Ontario, one east of Toronto and one west.

Another question which arose yesterday was the problem arising out of groups and the stability of government. Ample evidence was submitted here years ago, and can still be secured, to show that beyond all question of doubt proportional representation does not encourage the formation of groups. Groups do come. They will come, many and various. They make very very difficult the carrying on of government under the established method of the past; and in my judgment they call for some change in our methods of selecting legislative assemblies. We find considerable discussion of that in this little booklet, which you might consider. But, so far as proportional representation is concerned, I am quite sure that the evidence goes to show that it does not encourage the formation of groups; that its policy will not prevent the formation of groups; but that the only thing it will do is that when the group attains any considerable size it will give to it an opportunity to get parliamentary or legislative representation.

So far as the abolition of proportional representation in certain municipalities is concerned, I am quite prepared to admit that some people have gone back on it. But if you will just cast your minds back over the last twenty years in world history you will see a tremendous reaction in many departments of our social life, or what I think is a reaction. We have gone away from international trade towards economic self-sufficiency. We have gone away from

peace and plenty towards war and poverty. And everywhere you will find retrogressive movements. And now, when you point as Mr. MacNicol did yesterday, to certain places that had had proportional representation; the abolition of proportional representation in these particular places may be due to one or more of a variety of causes. There may be no argument against the merits of the thing in itself. Now, I have just jotted down here a number of these causes which have operated more or less in various places, and I think if you will examine them honestly you will see it. One of these causes is ignorance, another is apathy, another is impatience to get at the results of an election. Let me give you just one case in point. A great many years ago we had in the United Farmers Co-operative Company voting by a system of proportional representation for our board of directors. It was operated for some years, and I had something to do with the counting of the vote. Subsequently it was abolished and a system established of three successive ballotings which then in a rough way obtained some of the same result. Somebody could point his finger at that and say: Oh, well, these people tried it for a number of years and then they threw it away. What were the circumstances? The circumstances were these: That the shareholders were impatient to know the results of the election before the next morning, and we had these preferential ballots. They were taken about six o'clock in the afternoon and it took pretty well up to midnight before we could get them counted and get the results out, and the meeting was adjourned. That was the sole reason for the abolition of it. It was that impatience and the desire to know the result. As a matter of fact, they adopted the system which since then has proved rather cumbersome. For a number of years we have had three ballotings in succession, three times. I question very much whether there has been any time saved, and I am not so sure but what there has been time lost.

Then, there is another cause which Mr. Hooper suggested yesterday, and which has been quite obvious in the American cities. The American cities were boss-ridden and ridden by selfish corporations seeking special privileges for years and years. American history is a very black book in that respect—take Cincinnati, Cleveland and Philadelphia—and there is a very interesting study in that. These were forces which operated against the maintenance of proportional representation in these places. However, I am not familiar with the present situation in these cities.

Mr. MacNicol: Cleveland has abolished it recently. I do not know about these other cities.

The Witness: You must realize the forces that are in operation there, the political bosses and the commercial self-seeking organizations, both before and since, and they tried to prevent proportional representation from coming into existence, and they have steadily fought against it. Now, eternal vigilance is the price of liberty, and the price of anything worth while; and you will have to find out, I think, in these particular cases what were the things that were seeking to destroy what had been established. I believe, in so far as the American cities are concerned, those are the major forces that have led to what I would call "back-sliding" in respect to this thing.

Now, I am just about through, Mr. Chairman, in so far as this particular matter is concerned. A question arose yesterday which is probably a somewhat perplexing one to some of the members in any event. It is the question as to whether or not there should be any variation in the value of a first-choice, second-choice, third-choice, and so on. I think if members of the committee will look at this thing from the point of view of the voter rather than the point of view of the candidate or the party they will see that what the preferential vote means is that I as a voter am instructing the returning officer to credit my first choice to that man so long as it will do him any good, so long as it is needed in

the first place, and if he does not get out of the running. I want my vote to be recorded for that candidate. Now, if for any reason he has a surplus in the first place that he does not need; or in the second place if he goes down in the list to the bottom of the poll, then I do not want to be disfranchised, I want my vote to count for somebody else; and it is exactly the same as though you had successively balloted for each choice. The only difference is that it is done in one operation in so far as the voter is concerned, but in several operations in so far as the count is concerned. The principle is exactly the same. When we talk of successive balloting, it is there in practice in many of our organizations. We do not say that on a second balloting these choices are of less value than on a first balloting. It is a second choice not from the point of view of value, but from the point of view of seeking a recognition of the man's desire. Now, if you will look at it from that point of view you will see that it is not the right thing to attach different values to these things, and you will also find that in the actual count the first choice did very largely determine the general result, and the shifting of ballots in the distribution of surpluses and in the distribution of residues does make some difference in recognizing the preference as between one candidate and another. I think it is only just to the electors to give them the opportunity of declaring their preference in this way, and if we are truly democratic it is only fair to give recognition to their desires.

I do not know how many of you have read the editorial which appeared in this morning's *Citizen* on this question, but the last paragraph is to me particularly apropos. I will not read it. But every party that gets in, or that aims to get in I would say unfairly, by securing a lease on power by representation that is not justified by the voting strength of the country is apparently—

Mr. MacNicol: That is, every party does that.

Witness: Every party—I don't know about that, but it is the same psychology. The Labour Party did it is Australia. The Liberal Party did it in Britain. And I think the Conservative Party is prepared to do it. I don't know what the Liberal Party is going to do in Ottawa just now. They are in power. They have a big majority and apparently look after themselves. But there are some parties, for instance the Conservative Party in the House of Comons at the present time; I would say that they are grossly under-represented so far as numbers is concerned, but the quality of their present representatives may make up for any deficiency in that respect.

Mr. MacNicol: It is very kind of you to say that.

Witness: Anyway, the party vote was not justified. Then, there is the situation with respect to the reconstruction group and Mr. Stevens. Mr. Stevens opposed proportional representation years ago, and look where he is now; the sole representative in this parliament of 380,000 voters. Now then, the point I make is this: Let us do the fair thing when we have the power; let us do the fair thing so that when the next election comes along we will be able to give the voters the right of way, and let them do what they like. We can make an appeal, but don't let us hog representation. I am speaking now of the majority groups who are over-represented.

Now, Mr. Chairman, that is about all I have to say. I might perhaps just give you in conclusion what I think is a very fine summary of the whole idea of proportional representation, as given by the British Proportional Representation Society. It will only take a moment to read it, and it sums the whole situation up.

Our claims: (1) To reproduce the opinions of the electors in parliament and other public bodies in their true proportion. (2) To secure that the majority of the electors shall rule and all considerable minorities shall be heard. (3) To give electors a wider freedom in the choice of representatives. (4) To give representatives greater independence from the financial and other pressure of

small sections of constituents. (5) To ensure two parties representation by their ablest and most trusted members.

Now, Mr. Chairman, I believe that those are aims which are worthy, and from a democratic point of view absolutely essential; and they are fairly effective of realization where true proportional representation is in operation.

By Mr. MacNicol:

Q. Where is true proportional representation in operation?—A. I would say it is in operation in the city of Winnipeg for provincial elections.

The WITNESS: Now, if anybody would like to ask me questions I would be very glad to do what I can toward answering them.

The CHAIRMAN: That is very good of you. Have any of you gentlemen any questions you would like to ask this witness?

Mr. MACNICOL: I would just like to ask him a few questions.

By Mr. MacNicol:

Q. The first question I would like to ask you, Mr. Good, in all fairness, and with all due respect to yourself (anything which I may say is not said from any other motive); my first question is: Proportional representation was introduced for discussion in this country, and throughout the world, about 22 years ago; and yet, instead of making progress it has very greatly receded. How would you account for that?—A. I would say, Mr. Chairman, that if what has been called proportional representation in many places has not been true P. R., and there are some varieties which have some merits and some demerits. Now, you take the List system which prevails in Europe more or less; in Australia, for instance, they have a system for the election of senate which is, so far as I can gather, a succession of voting on the alternative vote principle; and these things are more or less a confusion with one another. When any change is made we say, oh well, P. R. has failed. So that I would not be prepared to admit any sweeping statement as to any retrogression in that. I also believe that while I think you can count a pretty steady advance up to the outbreak of the war in 1914, if you will take the history of electoral reform movements up to that time I think you will see a very steady improvement.

Q. That answers that part of it?—A. Since that time there has been, as I say, a general reaction in a great many departments of our life, and I think this has been one of them. Not only has there been that, but as I say the whole philosophy of democracy is questioned, and in some places it has gone by the board entirely.

Q. Now then, you said that democracy is crashing?—A. In many places.

Q. Well now, I am going to try to repeat, in just a word: You state that proportional representation is responsible for that. For instance, in Italy they had proportional representation. They had so many parties in Italy—and now I am going to speak in an arbitrary manner—and I will say that at the time of their being abolished there were not less than 15 or 20 parties in the Italian House. They abolished them because they had so many parties there that it brought about a condition of chaos. The same thing applies to Germany. In Germany there were some 30 parties in the House, and the action they took there was to throw them all out and establish a dictatorship, as in Italy. Then, in Spain they had a similar situation, there were not less than 15 and perhaps 20 parties in the Spanish Chamber; and they got rid of them. They had a somewhat similar situation in New South Wales. The number of parties increased in New South Wales to such an extent that they withdrew the P. R. system there. How would that compare with your statement that democracy is crashing under the regular system of voting when the three most democratic countries of the world, Great Britain, the United States and Canada, have survived; and there we

have a regular system of voting?—A. What I have said is that I do not accept that statement as a statement of fact.

Q. I am making it as a statement of fact?—A. Yes. I am not prepared to accept this as an accurate representation of what has been in existence in Italy, Germany and elsewhere in Europe.

Q. Do you mean to say that proportional representation did not exist in Germany?—A. It did. After the 1909 situation it did. Yes.

Q. And in Spain?—A. I do not know as to the Spanish situation.

Q. And in Italy?—A. I am not prepared to admit that.

Q. I am prepared to state that.—A. Without going into the details and not knowing the kind of vote they had there — I do know this, and I submit it with all respect, Mr. Chairman, that proportional representation has never anywhere brought groups into existence nor encouraged the formation of groups. That is very evident from all the facts of the case. Now then, it may be that the existence of these groups, which very largely represent new economic interests, does bring up a new political problem and a very serious one. I do not accept for one moment the allegation that proportional representation is responsible for these difficulties that have arisen in working out a government with a lot of groups in our parliamentary body. That is the only answer I can give. I do not intimately know the situation in Italy. I do know that proportional representation, I do not know whether it was the List system or not, was adopted in Germany when the new situation was established. Anyway, I think any candid student of recent Germany history will find out that so far as their electoral system was concerned that it has been no factor in the political dislocations which have taken place in Germany. You have so many other factors that are so very complicated which are related to recent developments in Germany that I do not think any candid investigator could attribute anything at all, not even one half of one per cent, to the electoral system.

Q. You also said something about majority rule not being probable under our present system, and that proportional representation does ensure majority rule—A. Yes.

Q. Well, one place in the world where they have had it longest, and perhaps where it has given better satisfaction than anywhere else, is Tasmania; and this system that is recommended everywhere — it is the same in Winnipeg I presume — perhaps was not the same P. R. system as they use in Tasmania. Now, in the election of 1934 in Tasmania the vote was as follows: the Labour party obtained 53,000 odd (I am not going to give the odd figures) and elected 14 members; the National party obtained 54,000 votes, and elected 13 members; the Independents obtained 5,000 votes and elected 1 member; the Federal Labour party obtained 2,000 votes and elected 1 member; and the Douglas Credit party obtained 2,000 votes and elected 1 member. There is a hopeless case of any possibility of forming a government. The point is this; that after all in Canada and under our present system we do elect a government which can govern. Under proportional representation it does seem as though it is impossible to have a government which can govern. You elected members to that party in proportion to the vote of the country. But you had a hopeless situation as far as governing went.—A. Mr. Chairman, I gathered from the figures quoted by Mr. MacNicol that, as far as representation went, it was pretty accurate; but that the result was that you had a number of groups in the legislative body, no one of which was in clear majority, and therefore there were governmental difficulties which developed operating on the party lines. It might have happened differently under another electoral system; that is, you might have had a minority group elect a very large majority in the legislative body; that would simplify the problem of government under the party system

at the expense of the whole principle of majority rule. You would have majority rule inside of the legislative body, but it would be ruled by a majority that came from a minority of the people.

By the Chairman:

Q. It comes to the question, does it not, of considering that other element that is introduced by Mr. MacNicol there, as to whether it is advisable to have a clear majority, even if you have not got a clear majority of the electors?—A. Absolutely.

By Mr. MacNicol:

Q. Put it the other way around; the question is whether it is preferable to have a government that can govern or a government that cannot govern.—A. Well, I see the point, Mr. Chairman. It is quite a nice point, and a good point.

By Mr. Glen:

Q. Mr. Good, is not the result of what Mr. MacNicol has given you, to show that P. R. does create group government?—A. No.

Mr. MacNicol: Oh, yes.

Witness: Not at all. But, Mr. Glen, take the situation that existed in Ottawa when I came here in 1922.

Mr. Glen: Your statement was very particular and very definite.

The Chairman: I think Mr. Good is going to give another illustration.

Witness: What I mean is—Mr. Glen is correct. Accurate representation of voting groups did result in a problem.

Mr. Glen: Yes, under P.R.

Witness: Yes. But it would have been just the same or might follow just the same under another electoral system.

Mr. Glen: You cannot tell me it does not create group government.

Witness: Look at the situation in 1922, after the 1921 election for our Federal Parliament.

Mr. MacNicol: Would you let me finish with Tasmania?

Witness: Yes. I will bring my point in later.

Mr. MacNicol: The inference to be drawn from the results I just gave would seem to be that P.R. invariably results in weak governments. In that regard I wrote to the Prime Minister of New Zealand who had sent a commission to Tasmania and New South Wales to ascertain whether the results were beneficial or not. He replied as follows:

> The only experience we have of it in this country is in connection with the election of municipal representatives. The Christchurch City Council is, however, the only local body which has adopted it, and I do not gather that its results have been too satisfactory because it gives the ratepayers little or no option but to follow closely along the lines of the party tickets, which seem to be the inevitable accompaniment of the system itself, and that, I need hardly remind you, increases the power of the party machine to a very undesirable extent.
>
> I have watched very closely the working of the system in New South Wales and Tasmania, the only British states which have so far adopted it on this side of the equator, and I must say I am not at all favourably impressed by it. In the former state it placed a Labour government in power on the minority vote in 1920,—

That is contrary to what you said a few moments ago.

> —and last year when a further appeal was made to the constituencies the effect was almost as unsatisfactory, as neither of the three principal parties obtained a majority over the other two and a coalition government had to be formed on the basis of an alliance between the Nationalists and the Progressives which continues only for the life of the present parliament.

In that regard, I should like to make the statement that, personally, I would far sooner see the present government with the majority it has in Ottawa, in which position it is able to govern, than see the present Liberal Party as it was in 1921 to 1925, when it could not do anything on account of having to obtain the support of groups.

Continuing:

> In Tasmania the introduction of proportional representation has merely resulted in a succession of weak governments, none of which have been able to secure a decided majority over the other party, and at the recent elections in that state matters were further complicated by the rise of a third party which has robbed the Nationalist Government of the small majority it possessed in the previous parliament and placed it at the mercy of the latter.

The point I am making is that in Tasmania, which is an outstanding place in the world—far beyond Winnipeg which is only a city; this is a government—it apparently has been a failure.

WITNESS: Mr. Chairman, this is very good evidence of, shall I say, the basic cleavage in fundamental philosophies which divide people on this issue. I adhere to the belief in democracy, and that everything should be done to perfect democracy.

By Mr. MacNicol:

Q. But democracy has been destroyed under P.R.—A. There are those who would prefer a strong government, what is called a strong government, at the expense of the principle of majority rule. Now, there is a fundamental, basic cleavage from the very, most ultimate of our beliefs. Because if you are prepared, as Mr. MacNicol says he is, to accept a Liberal Government at Ottawa which represents a minority opinion in Canada, as preferable to a fair representation of public opinion, then you are prepared to go further and accept a strong government by any minority, ending up with a dictator.

Q. If they obtain power?—A. If they obtain power.

Mr. MACNICOL: The same can be said of the C.C.F., if the C.C.F. obtain a majority in this House.

By the Chairman:

Q. I think there is another question that enters into your statement, Mr. Good. Although you spoke of the parliament in Ottawa now as being a minority government, if proportional representation had been applied and you had those second and third choices, possibly you would find that the Liberal Government is the majority government?—A. Quite so, yes.

Q. It is hardly fair to say that the Liberal Government in Ottawa at the moment is a minority government.—A. I think you are right, Mr. Chairman I forgot for a moment that, in the last federal election in Canada, we did not have even the alternative vote, so that we have a great many minority candidates. If we had had the alternative vote, without P.R., there is no telling just which way those votes would have been transferred. It might have been just as you say. It might have been that the present government in power would have been

elected by a substantial majority of the total original and transferred votes. That is quite possible. Nobody knows without having actually tried it out. But the point I should like to make, Mr. Chairman, is that if you depart from the principle of majority rule, looking at it from the point of view of the voters more than from the point of view of the representatives, where are you going to end? You may go one step after another, and you are going to end up, as I see it, absolutely with a dictatorship; and that is what we have now. What do we want? I think there is something in what Mr. MacNicol says as to the Italian situation, that there was political and industrial confusion which led those people to desire a strong arm over them—"Rule us lest we fall into civil war." There is a fundamental cleavage. Now, do we prefer, from the point of view of security and strength of government, minority rule? If so, the end is a dictator.

MR. GLEN: Assuming that what you are proposing will give us what you say it will, of course we are prepared to accept it.

By Mr. MacNicol:

Q. Let me ask Mr. Good a question here. Under P.R. the minority may rule. For instance, take the case of the city of Winnipeg where there are ten local members to be elected. I doubt if there is any record where any one of the parties nominated ten candidates. No They do not nominate ten.—A. No.

Q. But they nominate three, four, or five, or one more than they think they can elect; if that is the amount to be elected, these three or four are elected in place of ten. That is certainly an indication of minority rule. I have here one of the ballots, a Winnipeg ballot that applied, I believe, in the last election or the second last election, in 1932. It has on it twenty-nine names. That was the official ballot. The voters, when voting, would be so hopelessly confused in trying to select names out of twenty-nine that the parties got out another ballot, a sample ballot. Here is a sample ballot, one with only four names on it, voting for the candidates in a group.—A. Do the parties not do that now?

Q. In a single member riding, he is only voting on one. In the multi-member riding where ten are to be elected, certainly a man would have to vote for the ten if he voted according to the real principle of P.R. But they do not do that. As Mr. Hooper said yesterday, politics enter into P.R. elections too, and they get away from the idea of running it according to the principles of P.R. They turn out a sample ballot to vote for four, instead of voting for ten.—A. Mr. Chairman, several matters have been raised now, and it is a little confusing. One matter which is raised is as to the block voting, ten voting rather than one transferrable vote. If you are going to have block voting—

Q. Winnipeg has P.R.?—A. Yes. If you have the single transferrable vote, you cannot work out P.R. with the block voting. We have tried that in some of our municipalities. We have abolished the ward system, but we have given to each voter as many votes as there are candidates to be elected. That is not P.R. at all.

Q. Winnipeg has P.R.?—A. Yes.

Q. And ten members are to be elected?—A. Yes.

Q. For the ten seats. Twenty-nine have been nominated, and then the government party gets out a separate ballot to be used only by its people, advising its supporters to vote for the four on their ballots. That is not a block ballot?—A. No.

Q. That is a P.R. ballot?—A. I think you said they should have had ten votes, each elector in Winnipeg?

Q. No.—A. I beg your pardon, sir. I misunderstood you.

Q. I am sorry I did not express myself clearly. What I meant to say is that when a voter comes into the polling booth to vote, he is supposed to vote

for ten because ten are to be elected?—A. You mean he is supposed to put his preferences—one, two, three, down to ten?

Q. Yes.—A. He may, yes.

MR. MACNICOL: But in actual practice it does not work out that way. Instead of voting for ten as he should do—what a citizen should do and as he does do under our present system in the single member riding where the citizen votes for the candidates,—under P.R. he does not vote for the candidates to be elected in the riding.

The CHAIRMAN: Was that not answered yesterday, Mr. MacNicol, by Mr. Hooper when he showed the transfer of the second choices for a man named Hay?

Mr. MACNICOL: Yes.

The CHAIRMAN: He showed that every one of those ballots was marked. There were no plumpers there.

Mr. MACNICOL: There were no what?

The CHAIRMAN: There were no plumpers.

Mr. MACNICOL: No; perhaps not in that particular case. But as I say to the members of the committee, that is a sample ballot issued in one of the recent Winnipeg elections.

Mr. WOOD: Just as advertising.

Mr. MACNICOL: Yes. Ten members are to be elected, and twenty-nine candidates were nominated. The government party issued this sample ballot to its supporters to not vote for the ten, although ten are to be elected, but to only vote for four.

Mr. MCINTOSH: That is one of the attributes all along the line.

Mr. MACNICOL: Not under our present system.

Mr. MCINTOSH: No. I mean under P.R.

WITNESS: I do not see how, Mr. Chairman, you can prevent party groups from advising those that they think to be their supporters from doing so and so. I do not wish to impair their liberty in that respect at all. Everybody knows what is done at the present time. You go around the city when an election is going on and you see posters up everywhere: Vote for so and so; vote Liberal; vote Conservative; vote C.C.F. Every party does it. I do not see that it is pertinent to the question.

The CHAIRMAN: Mr. Stewart has been trying to ask a question for some time.

WITNESS: I wonder, Mr. Stewart, if you would hold your question for a moment?

Hon. Mr. STEWART: Yes.

WITNESS: The question Mr. Glen asked is, in my opinion, a most fundamental question which I think is troubling a great many of the members of the committee. It is the problem of government with groups where no group has a single majority. Now, that is a problem. I have tried to deal with it in this little booklet. Let me say this: You do not avoid embarrassment by avoiding P.R. You only make the prospects worse. Sometimes accidentally it is better, but when it is better you are liable then to introduce the principle of minority rule; I mean, a minority of the voters of the country dominating the public policy of the country. That is dangerous from a democratic point of view. But I say very definitely that you do not avoid the difficulty or embarrassment by maintaining an electoral system that is unfair to large groups. Let me give you a case in point which you can easily recall. The election of 1921 resulted in practically four groups coming to Ottawa. Not one group was in clear majority. We had in the election of 1919 in Ontario, an even more conspicuous case, on the old system. If you just make an examination of the figures, the

recent election figures, covering quite a few years past, you will see that since the emergence of these groups you have had this difficulty arise, wholly regardless of whether or not you give unfair representation to these groups or fair representation. Sometimes you will have a group unfairly represented; I mean, over-represented. Sometimes you will have it under-represented. Are we going to maintain a system which is essentially and generally unfair, on the belief that it will lead to what we call a strong government of a big majority? There is the question. Or are you going to say, "We wish to modify the operation of our legislative body in accordance with the new facts?" I remember when I was here, the speaker then being Hon. Mr. Lemieux, some question arose in connection with some of the rules of the House, the administration of the rule of the House. There were three parties, three quite big parties in addition to the Liberal Party. What recognition should you give to them? The voters put them there. They wanted them there, and no matter what system you get, you are bound to have them. You have the old system yet. You have got the C.C.F. group in Canada at the present time. Sometime or other they may bulk large, with the way things are building up now. What are we going to find sometime? Possibly this, that with a quarter of the total vote in Canada the C.C.F. gets into power, a major group. Now, what are you going to do? Are you going to say, " We are going to submit peaceably to be ruled by a quarter of the people of Canada along lines that we thoroughly repudiate," or are we going to say, "We are going to rebel. It is unfair and unjust."

Mr. GLEN: Majority rule.

WITNESS: Is it the majority inside the legislature or is it the majority outside?

By Mr. Glen:

Q. When you spoke of the Ontario report when there was grouping of different constituencies, how did that work out?—A. It was never tried out.

Q. Would you say to-day, as Mr. Hooper did yesterday, that a combination of a number of constituencies might give proper representation under the transferable vote?—A. I did not just catch the question.

Q. With a combination of the different constituencies, could that give a proper vote under the transferable voting system that you advocate?—A. What I said was this—

Q. Is it a feasible proposition?—A. Yes. I think it is.

Q. You disagree with Mr. Hooper. He does not think so. He said so yesterday.—A. No. I did not understand him to say that. But considering it first as to the probability.—

Mr. GLEN: Am I correct in that, Mr. Hooper?

Mr. HOOPER: I qualified myself by saying that probably some constituencies such as Selkirk in Manitoba were not practicable. You can see by looking over the map of Canada. You could conceivably group some rural constituencies into other constituencies without causing inconvenience to the candidates.

Mr. GLEN: In the case of Dauphin, Marquette, and Brant, could you group those together so that the transferable vote could be applied, and at the same time enable the candidates to get out their message?

The CHAIRMAN: You mean proportional representation?

Mr. GLEN: Yes, proportional representation.

WITNESS: What I said a few minutes ago was this, Mr. Chairman, that the Ontario committee appointed in 1919—

By Mr. Glen:

Q. If you will excuse me, I will put it in another form. If you take a piece of turf about three hundred miles north and south and 150 miles wide, with

nearly thirty-five thousand people represented by three members now, could you have proportional representation applied there?—A. Well, Mr. Glen, if you will look at the province of Alberta, which is pretty sparsely settled—

Q. I am asking you a question.—A. You are appealing to me in regard to a territory that I am not familiar with.

Q. You know the extent of it.—A. I say this, that I would like to see this tried out in southwestern Ontario which is fairly thickly settled. Then I think we shall find out what the difficulties are over a fairly large territory. My own opinion is that these difficulties have been very much over-emphasized in the past and are now. I do not think they will prove to be as great as we think they are. I do not wish to say anything about that particular territory in Manitoba.

Q. I take it from what you have said that you will be content to have a trial in a portion of the country, but not to apply it all over the country?—A. I am not advocating its application throughout Canada all at once. I do not approve of that; absolutely not.

Q. You are asking only for trial to be given in certain areas?—A. Yes. I think that is the successful way. In the city of Winnipeg, for instance, they have had it now for 16 years for provincial purposes; is there any reason in the world why they could not adopt P.R. there for federal purposes?

By Mr. MacNicol:

Q. There is big opposition against it in Winnipeg for any kind of purpose? —A. Yes, there is opposition against everything.

By Mr. McIntosh:

Q. Your argument is to start in urban districts first and thickly populated rural areas?—A. I should like to see it done at the present time. I do not have a blueprint of the ultimate future at all. I think it is immediately practicable with no serious difficulties whatsoever in many of our fairly large urban areas such as Toronto, Montreal, Quebec, Ottawa, London and so on, and some of the western cities. In addition to that, I do think it is desirable, and I am satisfied it is feasible, to try it out in selected areas, selected group constituencies in the more thickly populated portions of rural Canada.

By Mr. MacNicol:

Q. That report you refer to—that Ontario government report—made reference to Brant, Oxford and Waterloo. Now, would you suggest putting them together?—A. Yes, absolutely. I think that is a very suitable experiment.

By Mr. McIntosh:

Q. You stated that if we go along our present political lines of voting there is only one thing that will happen and that is that we are going to wind up in a dictatorship?—A. I do, yes.

Q. In your mind the idea of a dictatorship, as I understand it, is cabinet despotism?—A. Any minority is of the same type—any minority government. When you abandon the practice of majority rule then you begin to slide and the end is a single man with complete power.

Q. Have you any thought in your mind that under our present political system, as things work out election after election, we have at the present time really not true democratic government but cabinet rule, Order in Council rule, cabinet dictatorship or cabinet despotism?—A. I think all over the English speaking world there has been a drift towards increasing power by the executive of the cabinet as against the power of the legislative body; but I do not know that I am seriously concerned about that because sooner or later if we do not

make any change we are going to be up against the problem of governing with groups no one of which is in the majority.

By Mr. MacNicol:

Q. As occurred under P.R.—A. No, without P.R. We are just about as liable to run into it without P.R. as with P.R. May I remind you, Mr. MacNicol,—I know your views of the C.C.F. program, and they are well known, everybody knows them—but if the C.C.F. were apparently willing to take a chance on the present system—you see what I mean.

Q. Has obtained a majority?—A. May obtain a majority in the house itself or a majority outside of the house, what are you going to do? Loyally support them?

Q. I would like to be on the opposition side, but I would not be any more afraid of them than I am of the present Liberal government with a large majority?—A. But here is a problem that is going to develop. How are you going to face that in these halls in some future time? How are you going to have a group there in control of the destinies and policies of this country representing a minority viewpoint and you yourself possibly most desperately and most vehemently opposed to that policy.

Q. Don't use those two words; intelligently you should say?—A. Well, vehemently opposed to it. Are you going to submit easily? Are you going to say, "no, these people while they have legal authority have no moral authority."

Q. I think if the C.C.F. obtained power at Ottawa with a majority in this house or a sufficient number to obtain power to rule the country the result would likely be the same as when the Right Honourable Ramsay Macdonald obtained power in England: the government would steady down by responsibility and carry on.

By Mr. Robichaud:

Q. It is said sometimes, perhaps truly, that third parties are by-products of depression and that when times get good they disappear. Don't you think that proportional representation would perpetuate those parties instead of giving them a chance to disappear as they have in the past under depressed condition?—A. I do not think that the group representation in parliament is due to any temporary development such as depression. I think the history of Europe would show that they have been a persistent factor in the European politics for many years, and I think you will find that that is growing. Now, if you ask why are these groups finding expression in our public life, that is too big a question. I have my own ideas. I venture this opinion however, that you are not going to avoid this sort of manifestation in contemporary life by putting handicaps on the representation in parliament.

Mr. GLEN: Mr. Chairman, I move that we adjourn. Mr. Hooper and Mr. Good are here speaking on proportional representation. I am anxious to come to a conclusion, and I have not made up my mind as to what I am going to do; but I would like more time than I have had to question these two gentlemen, and I know they can explain what I want to ask them. I suggest that between now and the next time we call a meeting of this committee those gentlemen should give us some figures with regard to proportional representation in the different countries of the world and put them on record so that we will have an opportunity of judging whether proportional representation as tried has been a failure or a success.

The CHAIRMAN: I think we can have those statistics before it is necessary for this committee to come to a conclusion, but I do not know that it is necessary to hold Mr. Hooper and Mr. Good here in order to do that.

Mr. GLEN: Another day would not matter much.

The CHAIRMAN: Mr. Butcher is here and he is available to the committee. I think as far as these witnesses are concerned that they have given us their ideas on proportional representation pretty well. However, if that is the only information you require, we will be able to get that for you without holding these witnesses here.

Mr. GLEN: The only point is that representations have been made by both these gentlemen which I would like to explore. Questions with regard to minority and majority rule have been put on the record and are going forth probably as the only evidence before this committee, and the country, when they receive the report of this committee, will find that there is no objection to those views, and there are from my point of view, at least.

The CHAIRMAN: The situation is this. We called these witnesses here to give us an exposition of how proportional representation appeals to them and, as Mr. Hooper said yesterday, it has worked out, in his opinion, in the district in which he has served for a number of years and where he has seen the operation of the system. Now, personally, unless it is the wish of the committee I cannot see any necessity for holding these witnesses here. It is not possible for us to have a meeting to-morrow with all the other committees meeting on which the members of this committee serve. We will meet on Friday when we hope to have Mr. Wright from Nova Scotia to further enlighten us.

The WITNESS: Might I make a suggestion? Mr. George H. Hallett, Jr., of New York, was associated with Mr. C. C. Hoag several years ago in writing a large book on this subject. I do not think there is anybody so well posted on the North American continent as Mr. Hallett. There is Mr. Humphries in England, but England is too far away to get him here; but if it is your desire to get further detailed information you might be able to get Mr. Hallett at very slight expense to come here, and he is very well posted on this matter. He has a book that is available to the members.

The CHAIRMAN: Do the members desire to ask Mr. Good any questions?

By Hon. Mr. Stewart:

Q. I think I know Mr. Good's viewpoint from having listened to him in the House of Commons in the debate he has made reference to when he presented, I think, every argument that could possibly be made in favour of the alternative vote in a single constituency. Now, I want to ask him this: Does not the alternative vote in a single member constituency tend to some extent to defeat true proportional representation where you have three or four parties in the constituency and where in advance of the campaign the leaders of those parties get together and form an agreement that they shall vote first for one and second for the other?—A. That agreement would have to be made public to the voters.

Q. Let it be public or otherwise. I go out on the platform and say I am a liberal and I advocate to liberals that if they cannot vote liberal they should vote progressive, who are nearest to the liberals. Does not that tend to defeat it?—A. I will answer the question this way, Mr. Chairman, that I do not think it makes the situation any worse than it is at the present time, but it does not make it much better.

Q. That is a defeat, I say, in the working out of what you have in mind—ultimate proportional representation. It will defeat its own purpose in that way. Now, following through your argument about proportional representation, it is a very ideal condition, perhaps, on the surface to say that every group of Canadian people should have a voice in parliament—progressive, liberal, conservative, C.C.F., reconstruction, and all the others. That is your feeling, is it not?—A. Yes.

Q. Does not that lead inevitably, when you have that representation in parliament, that those groups ought to have representation in the government to be effective?—A. It raises a whole host of difficult problems.

Q. Does it not lead to that?—A. Not necessarily.

Q. How are you going to really accomplish very much by having these groups in parliament representing these people unless you have them represented in the government? If you get them represented in the government—these conflicting groups—have not you practically got paralysis of government?—A. I am free to admit that we are facing some very serious problems in the operation of legislative bodies and in the carrying on of government, but I am quite sure that we do not make them any less embarrassing a difficulty by keeping P.R. out of the picture. I do not think that with or without P.R. you have to face that problem. It is a difficult problem; it is a problem inside. I have my own idea as to how it ought to be worked out which I put in this little pamphlet. I have my own ideas on how to tackle that problem. I am quite sure that the evidence goes to show that these difficulties would arise with or without P.R., and the only thing P.R. will do is it will give you an adequate representation of these different groups; it will give you a chance to be heard over the legislative body. That is all I can say before I sit down.

In regard to the alternative vote in a single member district, as I said years ago, I think the thing is quite worth while. It does not secure the objectives that proportional representation secures; still it is worth while from two points of view. It prevents a representative coming forward as the representative of a constituency on a minority vote. It makes it absolutely certain that he comes at the will of the majority in his constituency.

By Mr. Stewart:

Q. Does it not make possible the combination of two majorities?—A. That is possible now.

Q. But two majorities that would defeat the man who would otherwise have a majority?—A. That is possible now, but you cannot prevent that.

Q. What about a case where you had two minorities combining against him?—A. Well, I think Mr. Stewart is correct; you cannot prevent it. I would say this, that there is another reason why that change is worth while, in that it will familiarize our voters with the use of the figures in the matter of preference on their ballots, and give a little experience to our electoral officers in transferring votes. All that will be of service wherever you go from there and adopt the group constituency and proportional representation. So I think it is quite worth while. Mind you, it does not get us very far. They have had it in Alberta and Manitoba. How far did it get Alberta in the last provincial election? It did not give them any sort of a fair representation. Notwithstanding that, it is better than what we have now.

Mr. MacNicol: I think that inasmuch as groups have been mentioned I should, to complete the reference, give the names of the various groups which came out in connection with the system of proportional representation.

In Switzerland the groups are: Radicals, Catholic, Socialist, Peasants, Artisan, Bourgeois, Liberal, Democratic, Group de Politique Sociale, Independent. Those are all represented in the house.

I might say that in France they abolished proportional representation in July. There, the groups were: Independent, Progressives, Left Republicans, Radical Socialists, Democratic Republicans, United Socialists and Republican Socialists.

In Prussia the groups were, under proportional representation: Nationalists, People's Party, Centrists, Democrats, Majority Socialists, Communists, Independent Socialists.

That is one of the reasons it was abolished in all those places. They broke down responsible government.

The CHAIRMAN: Gentlemen of the committee, before we adjourn I should like to say that the witnesses who were called here, I am sure, will have observed the interest which the members of this committee are taking in the matter of proportional representation. I am sorry that our time is somewhat limited. We have brought these men here from a distance, but I do not believe that it is necessary to hold them over for another meeting. We have available Mr. Butcher, who can obtain for us the records of what has taken place in other countries and we have the references that have been given both by Mr. Hooper and Mr. Good and the pamphlets and books that have been prepared on the subject. I think before we come to a conclusion on this matter that we will have available to us most of the information that is obtainable. Unless it is the wish of any member of the committee that we hold these gentlemen over, I feel, as chairman of the committee, that we should allow them to go back to their homes.

Before we adjourn I want to say again to Mr. Hopper and to Mr. Good that we appreciate very, very much the unbiased manner in which they endeavoured to put before us the facts as they saw them as well as the representations they had to make in connection with them. I think the committee cannot too highly compliment both these gentlemen for the time and trouble they have gone to in coming here and helping to enlighten this committee.

Mr. MACNICOL: Mr. Chairman, I think you secured the two best men that you could have obtained on the subject.

The CHAIRMAN: I think, gentlemen, that you may take that as the thought of this committee.

Mr. MACNICOL: I will add to that that both of these gentlemen must not assume because of anything I said that I am not of that conviction, because I am of that conviction.

The CHAIRMAN: Mr. Wright is here on a trip, and we can possibly hear something from him on the subject on Friday of this week. We will adjourn until Friday morning at 11.00 o'clock.

The Committee adjourned until Friday, May 1, at 11 a.m.

HOUSE OF COMMONS, ROOM 429,

May 1, 1936.

The Special Committee appointed to study the Dominion Elections Act, 1934, and the amendments thereto and the Dominion Franchise Act, 1934, and amendments thereto, met at 11 a.m. The Chairman, Mr. Bothwell, presided.

The CHAIRMAN: Gentlemen, I think we shall have to proceed this morning without a quorum. We may have a full quorum before very long. We have with us Mr. C. P. Wright from Wolfville, Nova Scotia. He was here the other day and listened to the evidence given by the two witnesses, one from Winnipeg and one from Paris, Ontario. I believe Mr. Wright will simply carry on from where they left off and help to clear up matters that he may think we are still in doubt about.

The CHAIRMAN: That would clarify it.

Mr. ROBICHAUD: Yes.

The CHAIRMAN: All right, Mr. Wright.

Mr. C. P. WRIGHT called.

WITNESS: Before I proceed to conduct a model election before the members of the committee, I should like to make two preliminary remarks. First of all, with regard to the English Proportional Representation Society, three or four weeks ago I wrote to Mr. J. H. Humphreys, the secretary of the English Society to send him the names of the members of this committee. I suggested to him then that he might wish to send literature on proportional representation to the members of this committee. He replied to my letter saying that he was rather loath to come forward and intervene in the affairs of the Canadian parliament without some sort of invitation to do so. He would be very glad to send literature on proportional representation to any members who asked for it; and if I may be so permitted, I should like to send some sort of permission to him to send it to the members of this committee. He knows their names now.

The CHAIRMAN: I do not know whether the members of the committee are anxious to get this or not. It is a matter for the committee to decide.

Mr. GLEN: Does it cost us anything?

WITNESS: No, nothing at all. I think Mr. Humphreys would be very glad to send it.

Mr. GLEN: We want all the information we can get.

The CHAIRMAN: There cannot be very much objection.

WITNESS: No. I think Mr. Humphreys would be very glad to send you that information.

Hon. Mr. STEVENS: I think Mr. Humphreys' attitude is a very commendable one. What he virtually says is that he does not want to intervene in Canadian

affairs, which is quite typical of the average English person; but what he would like is, I think, a suggestion from the committee that he should send to each member the literature. I think it would be a very good idea—if the committee were agreeable, and if we are going to get this literature—if we were to intimate to him through the clerk of the committee that the committee will be glad to receive any literature from him. No harm can be done. I am only now speaking for myself, as one or two others have. I would be very glad to receive that. But that does not mean that Mr. Humphreys would send it forward to them all. If the committee had no objection, I think it would be a very decent thing, and quite helpful, to suggest that the clerk might intimate that the committee would be pleased to receive any literature, if he chooses to send it. Put it on that basis.

The CHAIRMAN: That is agreeable to the committee, I presume. We will see that that is done.

WITNESS: The second point I should like to raise by way of preliminary, and which will probably come up several times in the course of discussion this morning is this: I am going to ask the committee, if possible, to avoid coming to a definite decision itself on the subject of proportional representation; because I regard proportional representation not simply as a device in itself, but as simply one part of the very complex machinery of government. So I am going to ask the committee, or rather, suggest that the question of the adoption of proportional representation shall be referred for further consideration to a Royal Commission, along with three or four other important political questions of a constitutional character which I have noted down here. The first of them is, of course, the one which the committee is considering.

By the Chairman:

Q. Would you mind informing the committee just what position you are in, in giving your evidence here?—A. Yes. I was going to say that I am an economist and one who has put a good deal of study on various political questions. So far as my connection with the English Proportional Representation Society is concerned, I am simply a supporter who has paid very few subscriptions to the society. I do not hold any position in any body at the present time.

By Hon. Mr. Stevens:

Q. You are appearing here in an individual capacity?—A. Absolutely. Entirely so.

By the Chairman:

Q. Will you proceed?—A. Well, the points I wanted to suggest for reference to a royal commission are these: First of all, methods of election. That includes proportional representation, the alternative vote and so on. Secondly, the question of the composition of the Senate. That is a question which it would be perfectly impossible for a House of Commons committee to consider, because it would touch at once on the privileges of the Senate; and yet at the same time it is fairly clear that if one is considering methods of representing the electorate in the House of Commons, methods which may produce certain changes of outlook on political machinery, it is extremely desirable to consider just whether the Senate should be reconstituted in some way.

Hon. Mr. STEVENS: I do not want to interrupt Mr. Wright unduly; but this committee would have no jurisdiction in that at all.

The CHAIRMAN: I do not think so.

Hon. Mr. STEVENS: There is a committee on the amendment of the British North America Act—constitutional amendments—which might consider that.

The CHAIRMAN: Yes.

Hon. Mr. STEVENS: I think it is only fair to tell Mr. Wright that we could express no opinion on that at all.

WITNESS: I see. You could not even refer it to a royal commission?

The CHAIRMAN: The order of reference is in connection with this matter of proportional representation. We can deal with that. But as far as the other matters you are going into and suggesting might be dealt with by a royal commission, we have no power to do that.

Hon. Mr. STEVENS: I was trying to make it clear to Mr. Wright that the committee is limited by the order of reference. No matter what our views may be, we have no right to give any expression of opinion on that.

WITNESS: All I can say is that any question of this kind which affects methods of election does, after all, affect a great many other kinds of political machinery at the same time; and it is desirable that some power with larger powers—I suggest a royal commission—should consider these other questions in some way. I leave it entirely to the discretion of the committee to decide in what way, what those larger powers should, and what power should hold them.

Hon. Mr. STEVENS: We are limited here, as far as I understand it, to the Franchise and Election Acts and to the consideration of proportional representation.

WITNESS: Yes.

Hon. Mr. STEVENS: Those are what our limitations are. I think I am right in that, Mr. Chairman.

The CHAIRMAN: Yes. That is right.

WITNESS: Yes, of course. Then, if I may I should like to express a personal opinion on this point for one moment, before proceeding to make any further suggestions to the committee.

The CHAIRMAN: Yes.

WITNESS: I should like to express my own personal opinion on this point, that such a large investigation might also include, and perhaps should also include, certain questions relating to the independence of the private members of parliament. That perhaps does come within the scope of the committee because the question of payment of members and the expense of elections would be involved in this matter. Then again, there are certain questions in connection with the procedure of the House in taking its votes. I may have to refer to that a little again. Last of all, there is the question of the relation of the House of Commons to the cabinet. That is a question which might very easily come within the scope of this committee.

The CHAIRMAN: From the reference that has been made to us, I do not see how that can possibly come within our powers. It might be a matter which you could take up by correspondence with the prime minister.

WITNESS: Yes. The point in this case is that objection is made so many times to the adoption of proportional representation for the election of members of the House of Commons because it is said that it is desirable to have a strong government. That becomes a political argument, not an argument simply affecting the methods of election itself. It is just because that argument is sometimes advanced against proportional representation that I think that question of the relationship to parliament might be considered. It is a point which might be brought against me.

By the Chairman:

Q. Do you intend going into that this morning at any length? Do you intend to make your suggestions as to how a royal commission would consider

these matters?—A. Not necessarily. I do not intend to carry this any further now, Mr. Chairman.

Q. All right. Will you proceed?—A. I had the privilege of listening to Mr. Hooper's exposition on proportional representation on Tuesday morning, and his representation was perfectly accurate. In fact, it was rather fuller, in some respects, than what I intend to give you this morning. But I noticed in some points there were certain difficulties in the matter, certain features of the matter left unexplained. I thought perhaps the best thing to do would be to supplement Mr. Hooper's exposition by conducting a model election in this room on a very small scale, before your eyes, so that some of the difficulties that were raised then might be answered by a demonstration.

What I have done is that I have created an imaginary constituency of one hundred voters, a constituency which is to return five members to parliament. Eleven candidates have offered themselves, eleven distinguished Canadian candidates: Sir Edward Beatty, Mr. Bennett, Mr. Dunning, Mr. Ferguson, Mr. Hepburn, Mr. Herridge, Mr. Lapointe, Mr. Massey, Miss Macphail, Mr. Meighen and Mr. Woodsworth. Those eleven candidates offered themselves to the sufferages of these one hundred voters.

Mr. GLEN: Why leave out Mr. Stevens?

Hon. Mr. STEVENS: He stands alone.

WITNESS: I did not want to be personal by bringing in any members of this committee. That is my only reason. Otherwise I should be glad to do that. Besides, that, I did not know who Mr. Stevens' surpluses should be transferred to. I did not know where they were to go.

A few of you have two or three copies of the return sheet. Some of you have seen it. If any of you would like to see another copy, here it is. The results of the first count, which you see in front of you, are as follows: Mr. Lapointe secured 25 votes, and was head of the poll; Mr. Hepburn came second with 12, Mr. Woodsworth third with 11, Mr. Dunning fourth with 10, and so on. As Mr. Hooper said on Tuesday, the first question to be decided in a case like this is how many votes a candidate really needs to secure election. In a single-member constituency the answer is that he needs just one over a half. If you were to have a two-member constituency, and the voters could vote for only one candidate, any man would be elected who secured just one over one-third. In the same way, carrying on that line of argument, if you have to elect five members it is sufficient that each man should secure only one-sixth of the votes; that is to say, one-sixth of 100 or 17.

By Hon. Mr. Stevens:

Q. Might I interrupt you?—A. Yes, certainly.

Q. What scientific basis is there for fixing that one-sixth? That is, if you have five members to be elected you say arbitrarily that it is sufficient for an individual if he secures one-sixth of the vote—five plus one?—A. Yes.

Q. What is the science behind that? What is the philosophy behind it? That has always puzzled me. What is the root of that decision?

Mr. WERMENLINGER: That is the fundamental principle.

WITNESS: I agree. That question puzzled me for a long time, when I first became interested in proportional representation. I went to Mr. Humphreys and argued the matter with him several times, I think, before I was satisfied on the subject. Yet, once it is seen, it is easier to understand than Social Credit, by a long way.

Mr. CLARK: I hope so.

By Hon. Mr. Stevens:

Q. Tell me what it is. Let me understand it. I am rather sympathetic; but will you let me understand it, or help me to understand it?—A. Yes. Let me put it the other way round. Instead of asking oneself why six, let us start at the other end. Let us start at the finished answer and see what the quota is and see why the quota is right. In this particular case of one hundred voters, and taking the quota as seventeen—

By Mr. Clark:

Q. Why do they take five plus one?—A. I will come to that in a moment. It is one hundred divided by five plus one. If five candidates each get 17 votes, that means that 85 votes have been cast for the members who are elected to Parliament. There are just 15 votes left over to go to any other one candidate. That means that any sixth candidate left out in the cold cannot possibly secure 17 votes. He cannot secure beyond 15. He must be a minority candidate and must be excluded.

By Hon. Mr. Stevens:

Q. That does not explain the point at all to me. You have a one-member constituency?—A. Yes.

Q. With one hundred votes?—A. Yes.

Q. A member to be elected must secure one-half plus one?—A. 51, yes.

Q. We will suppose you bring together 5 one hundred vote constituencies, and you have one constituency with 500 votes and 5 to be elected?—A. Yes, 500 votes.

Q. Just for the sake of simplicity and accuracy, we will make it that way.—A. All right.

Q. If therefore, in the one-member constituency, 51 votes would elect, why do you not say on the first poll in the 500 member constituency, "If any one of these gets 51 votes, he is elected."—A. I think I see the point.

Q. I am trying to get at why you say one-sixth. I want to know the foundation of that. I cannot see it. I would like to see it. I know you can accept it and fritter away and go on. But I would like to know why you fix it at one-sixth?

Mr. CAMERON: Do you mean why he adds one?

Hon. Mr. STEVENS: No; why he fixes it at one-sixth? Why not one-seventh, one-eight, or one-tenth?

Mr. CAMERON: Do you not get the explanation in why he adds the one?

Hon. Mr. STEVENS: That is another question. I can understand that. That is a simple way of getting out of the difficulty. But the other point is why the one-sixth?

WITNESS: Yes.

By Hon. Mr. Stevens:

Q. Because you must remember it is vital; to me it is vital.—A. Yes.

Q. Because when you fix it at one-sixth, then you take away his additional votes, if he has any, and start distributing them.—A. Yes.

Q. Which becomes a vital part of this whole system. If we are not able to understand, or if there is no scientific basis for the arbitrary choice of that one-sixth, to my mind the thing becomes just more or less a guess question. It is not on a sound basis.—A. It is on a perfectly logical basis. Let me put it the other way round. Look at the number of voters under the present system who do not secure representation in parliament. You say that in a single-member constituency of one hundred voters a man would be elected if he

secures 51 votes. That means that 49 voters have voted which do not count at all. They may have voted for the man who is elected; they may have voted against him. It does not make the slightest difference.

By Mr. Cameron:

Q. He might be elected under the present system if he only got, say, 30.—A. Which makes it even worse.

By Hon. Mr. Stevens:

Q. I understand all that. I can understand that. But I am getting back to the one point, why you fix one-sixth?—A. Yes.

Q. There must be some reason for it. I have never heard anybody explain it.—A. No? I was coming to that in a moment. Coming to that is the next step.

Q. All right.—A. You see, under the present system you have this evil, that practically half the voters in the country are not represented. So long as you have single-member constituencies, that is a fundamental fact to be considered. What you want to do is to get as many voters as possible represented in Parliament. If you divide by one-sixth, and make the quota one-sixth of the total number of votes, that means that five-sixths of your voters secure representation in Parliament. You will see that as the election goes on. You will see that in the end 85 per cent of the electorate, instead of only 51 per cent, is represented in Parliament in this constituency.

Q. You still leave it with an "if."—A. What is that?

Q. You still leave it with an "if." You say, "If you take one-sixth."—A. Yes.

Q. I am not going to worry you any more. I had a reason for asking if you could show me just what is the essence or the philosophy or whatever you like to term it, behind that arbitrary choice of one-sixth.—A. I wonder if I could leave it till later and discuss the matter with you privately afterwards? I think the thing can be worked out better on paper.

Q. You have got to persuade the recalcitrant members here. I am one of the friendly members. If you cannot show me, you have not very much chance with some of these other members, I can tell you that.—A. Well—

Q. That would not do you any good. I am inclined to think there is something in the matter, but there are some of those here who are pretty definite the other way. I am asking that question because I think it is really an important question.—A. Yes, it certainly is.

Q. But if you cannot explain it, go ahead.—A. All I can say is that if you have a quota of one-sixth of the total number of votes, any candidate who secures that quota beats any candidate who does not secure it. Mr. Lapointe with a mere 17 votes beats a candidate who cannot secure more than 15 votes.

By Mr. Cameron:

Q. Try it another way.—A. All right.

Q. Suppose you were dealing with proportional representation in a three-member constituency. What would be your quota then?—A. One-fourth of the number of votes.

Q. Then the thing you have got to explain, after all, is this mysterious one?—A. Yes, it is.

Hon. Mr. Stevens: Going back, if you take one-quarter as against three, it is an entirely different ratio than one-sixth against five, or if you had a ten-member constituency, one-eleventh against ten. There is no relation. There is no scientific or mathematical relation between the proportion. That is arbitrarily fixed, one in excess of the one-fifth, in this case.

Mr. ROBICHAUD: I do not know. You take a one-member constituency and it is one-half. You do not have to secure the whole one hundred votes. It is one-half. In a two-member constituency it takes one-third; three takes one-quarter. It is the same principle carried on.

Hon. Mr. STEVENS: It is fixed arbitrarily, the additional one—one-fifth plus one, one-sixth plus one or one-eleventh plus one, if it is a ten-member constituency.

Mr. ROBICHAUD: It is the same as the one-member, one-half plus one.

Hon. Mr. STEVENS: Yes.

Mr. ROBICHAUD: Two, one-third, plus one; three, one-fourth, plus one; four, one-fifth, plus one and five, one-sixth, plus one.

Hon. Mr. STEVENS: Why the one-sixth?

Mr. ROBICHAUD: For five members. It should be like the full quota for one. He carries it in the same proportion.

Hon. Mr. STEVENS: No, he does not.

Mr. ROBICHAUD: Well, as I see it, he does.

WITNESS: The idea is that the candidates who are to be elected are to win by the narrowest margin possible. They are to win the race by just a head, if possible; by just the smallest possible number of votes. If you have five candidates with 17 votes each, they win by just the narrowest margin possible, for any sixth candidate has only 15 votes—he can only have 15 votes.

By Mr. Cameron:

Q. Let me interrupt you there. Suppose in a five-member constituency with one hundred votes—and this is not original with me; it is my friend here—there are only five candidates offering. What would be the quota?—A. There would not be any. There would be no need for an election at all. Every candidate nominated would be returned without any contest.

Q. If one of them only got two votes?—A. The returning officer would not call for a poll at all, would he, in a case like that?

Q. It would be just like the old system.—A. It would be absolutely the same under those circumstances.

By Mr. Jean:

Q. If you had six candidates, what would happen?—A. If you had six candidates, by this method you would have to proceed to eliminate one. You would find out somewhere or other in the course of your counting you would have to drop one of those.

By the Chairman:

Q. You would find that on the first count?—A. Quite possibly so.

Q. Would it not be entirely so?—A. It would not be absolutely certain, because you might possibly have every candidate divided with absolute equality.

By Hon. Mr. Stevens:

Q. You might have possibly five below the quota?—A. Yes.

Q. One might have 50 votes out of the 100?—A. Yes. That would be possible.

Mr. PURDY: You might have one man who would have 16 votes on the first ballot and still be defeated.

Hon. Mr. STEVENS: Yes.

Mr. PURDY: No second preferences.

WITNESS: Yes, that would be possible. There is a case rather like that in this particular model election, because I gave Mr. Hepburn a good many first

preferences which I assumed came from the province of Ontario. But at the same time I assumed that the voters from other parts of the coutnry were not giving him second preferences in any number. In other words, he just got the Ontario choice. In the end, when the choice came between him and another candidate, Mr. Hepburn was defeated.

Mr. PURDY: They would not come from Nova Scotia.

By the Chairman:

Q. Are there any points in this model election that you are conducting in addition to what was explained by the chart of Mr. Hooper the other day?—A. I think there are some points which are interesting, because Mr. MacNicol was particularly concerned with the way in which votes were transferred, he seemed to be worried by the fact that certain votes which were transferred would be less valuable than votes which were not transferred. That is what I wanted to bring out. A voter does not lose by marking a long list of preferences; a voter does not gain by marking a long list of preferences. It depends on the circumstances of the count. That is what I wanted to bring out by actual demonstration of the ballot paper? That is why I wanted to show why it is a preference or transfer.

Q. All right, proceed.—A. I have, originally, eleven slips; and I want to show you how the candidates are eliminated and elected. We begin, of course, with Mr. Lapointe who has 25 votes, 17 more than he needs to secure election—eight more than he needs to secure election. That means that he has a surplus of 8 to be distributed. I will not go into the technique of distributing those votes. I will just say that we have 8 votes from his pile which are found to go to the other candidates, which can be given to other candidates, which Mr. Lapointe can spare and which can go as a second preference to other candidates.

By Mr. Clark:

Q. You say they can go? They must go?—A. They must go. Of course, it might happen that none of Mr. Lapointe's voters had marked any second preferences at all.

By Mr. Cameron:

Q. Then they would not go in anywhere?—A. They would not go anywhere, and the election would have to be proceeded with without any transfer of Mr. Lapointe's votes. That would be an extremely unusual case. Mr. Lapointe's voters would be extremely unwise not to express any second preferences?

By the Chairman:

Q. Suppose, on this ballot that you have here, none of Lapointe's supporters had made any second choice at all?—A. Yes.

Q. How are you going to elect the next man? You have not got enough?—A. No. Then you start at the bottom. You take the man who is at the bottom of the poll and transfer his votes upwards. It would cause certain difficulties in a case like that, if one candidate did have a large vote well above the quota and no second preferences at all. But that is, of course, an almost impossible condition of affairs.

By Mr. Wood:

Q. How do you determine which votes you have to take?—A. The ordinary procedure which the Proportional Representation Society recommends is to count all the second preferences accounted to Mr. Lapointe, given on Mr. Lapointe's paper, and seeing what ratio they gave to other members, to other

candidates. In this particular case I am assuming that of Mr. Lapointe's total about five-eighths went to Mr. Dunning and three-eighths to Mr. Massey; that is to say, 15 of Mr. Lapointe's second preferences altogether were marked to Mr. Dunning and 10 for Mr. Massey. Coming down to the ratio you would find that means transfering 5 of Mr. Lapointe's votes to Mr. Dunning, five of his surplus, and 3 to Mr. Massey. That is the way that computation is made. Is that clear?

Q. What about the second and third preferences that might be in Mr. Lapointe's 17 ballots. Are they distributed?—A. No, they stay. The 17 papers stay with Mr. Lapointe permanently.

Q. Those 17 are absolutely left there. There has been no expression of opinion, no second expression of opinion from those second or third choices?—A. It does not matter.

Q. They are absolutely monopolized by Mr. Lapointe?—A. They are held by him completely and permanently. Those 17 papers are Mr. Lapointe's papers permanently.

By Hon. Mr. Stirling:

Q. Suppose there was one second preference. You used the figures of 15 for Dunning and 10 for Massey?—A. Yes.

Q. Suppose there had been 14 Dunning and 10 Massey and one we will call somebody else, would you take that one into consideration?—A. It would be possible to do that. If there were papers simply cast for Mr. Lapointe and nobody else, I think you would count them as papers for Mr. Lapointe and proceed to distribute the surplus. I do not know whether I make that clear. I do not think I do, perhaps. Let me put it this way: Suppose ten voters had voted for Mr. Lapointe only, without expressing any second preference.

Q. I am not speaking of numbers. I think your figures were how many total votes were there?—A. 25 to Mr. Lapointe.

Q. 25; and 15 of them are Dunning?—A. Yes.

Q. And 10 are Massey?—A. Yes.

Q. You say that is the most probable way those second choices would have gone?—A. I do not say that is the most probable way, but it is possible.

Q. That is the way you select them?—A. Yes.

Q. Suppose it was not that way, but 14 Dunning, 10 Massey, and one for somebody else altogether. Would that one be voided, ignored, thrown away, taken no notice of?—A. No.

Hon. Mr. STEVENS: A fraction.

WITNESS: There would be too small a fraction to justify any transfer. Of course, it is a most unusual situation. I have been taking rather an easy case perhaps in working out this model election by giving Mr. Lapointe's second preferences only to two other candidates. In actual practice you would have a considerably greater scattering of Mr. Lapointe's second preferences, a wider distribution.

Q. You would not make use of these second preferences, of which there is only one, for any certain person?—A. No.

Q. You transfer Dunning's and transfer Massey's; the others would be voided?—A. Yes. They would stay with Mr. Lapointe. That is what you mean?

Q. Yes.—A. This first recount is to transfer Mr. Lapointe's surplus, 8 altogether. Five of them go to Mr. Dunning and three of them go to Mr. Massey. That alters the total of these two candidates, the others remain the same. Mr. Dunning's votes now rise from 10 to 15. He is getting very near the quota now, but not elected yet. Mr. Massey's rise from 8 to 11. As you see he is coming up slowly in the scale. So far, only one candidate has secured

a quota. That is Mr. Lapointe. He is the only one to be elected in that way. We now have to go to the other end of the scale. We have to start at the bottom of the poll and start eliminating candidates. The first candidate who is to be eliminated—there is no personal significance about this—is Mr. Meighen, who received only two second preferences. He is to be cut out of the election from now on and his papers go to the other candidates.

By Hon. Mr. Stevens:

Q. His second choices?—A. Yes, his second choices.

By Mr. Clark:

Q. All his second choices?—A. Yes. There are only two of them, and one of them is marked Mr. Ferguson.

Q. He only had two votes?—A. Only two votes. Both Mr. Meighen's first preferences were marked on the second preference for Mr. Ferguson.

By Mr. Cameron:

Q. Are you dealing with Mr. Meighen's votes, all of them?—A. Yes. He is cut out of the election right now.

Q. All of his votes are given to somebody else?—A. Yes.

Hon. Mr. STEVENS: I am going to raise another question, one of those which I consider to be fundamental, a matter of underlying principle. Mr. Lapointe having secured his quota in the first ballot, in the second count why does proportional representation not distribute all the second choices instead of just Mr. Lapointe's second choices?

Mr. CAMERON: On the first distribution?

Hon. Mr. STEVENS: Yes.

WITNESS: You mean the second preferences of the one hundred choices?

Hon. Mr. STEVENS: Yes.

Mr. WOOD: The balance of the 17.

Hon. Mr. STEVENS: No. The point I am getting at is on the same principle as I raised before. You make an arbitrary choice of Mr. Lapointe's second choices. There might be a lot of second choices to others that would show a preference, a much greater preference for some of these candidates over the 8 ballots, the extra ballots of Mr. Lapointe, or his second choices. Do you see my point?

WITNESS: Yes, I think so.

Hon. Mr. STEVENS: By this rule you choose the man who happens to have the highest number, the quota in the first ballot; and it is his second choices and nobody else's that are used. There are eleven running here. There are ten other ballots with second choices that are totally ignored.

Mr. PURDY: No.

Mr. CAMERON: Have you finished, Mr. Stevens?

Hon. Mr. STEVENS: No.

Mr. PURDY: He is using Mr. Meighen's.

Hon. Mr. STEVENS: That takes a third step. You now arbitrarily choose to pick out all the second choices of Mr. Lapointe and distribute them. Then you get a certain result. Then you go down to Mr. Meighen and take him and say, "All right, you are out," and you take his second choices. What I am asking is why should the system not take all the second choices and make a distribution and see what sort of set-up that makes?

Mr. WERMINLINGER: Why pick?

By Hon. Mr. Stevens:

Q. In other words, just as I say about the one-sixth, what is the philosophy or what is the justification behind the choice of the ballots of that particular individual?—A. The answer is that Mr. Lapointe's second preferences are peculiarly interesting to the returning officer, because Mr. Lapointe is elected. That is why his vote is taken. The people who voted for him, the voters who voted for him, have a right to a second choice; otherwise their votes would not count in the election at all. There are 8 voters who voted for Mr. Lapointe who have some right to express a second choice. The 17 voters stay permanently with Mr. Lapointe. He needs those votes to secure his place in Parliament.

Mr. GLEN: That does not answer it.

The CHAIRMAN: No.

By the Chairman:

Q. Here is the point. You have here Bennett and Dunning. Their second choices are never at any time considered. I think that is Mr. Stevens' point. The second choices on their ballots will be just as important in the final result as the second choises on Mr. Meighen's ballot.—A. Yes.

By Hon. Mr. Stevens:

Q. Let us give a striking illustration. Mr. Lapointe gets 25 ballots. We give him his 17 and we take his 8. Mr. Hepburn is next. He has 12 ballots. From that point on his second choices never get a show at all. They are never considered.—A. No. That is true.

Q. But Mr. Meighen who only got two, his second choices become effective votes.—A. Yes.

By Mr. Wood:

Q. I think I can clear this point up with maybe a question or two. This may be improbable, but it is possible. Suppose Mr. Meighen got no first choices, but he was second choice on several ballots. What would be the disposition of them?—A. That is the fundamental point, and you have touched on one of the weaknesses of this method of election. It is a fault of it. All you can say about it is that this method of electing candidates does not do justice as between individual members, as between individual candidates. It does do justice as between parties but not between candidates.

Hon. Mr. STEVENS: I like my point, as I submitted it to you.

By Mr. Clark:

Q. Suppose after Mr. Meighen is dropped off there it was found that there were enough second choices to elect him. Still he could not be elected?—A. No.

By Hon. Mr. Stevens:

Q. He is gone?—A. Yes.

By Mr. Wood:

Q. You admit this, Mr. Wright, that if the value of the expression of people's opinion was to be taken into consideration, which we hope that this does, then it fails to function properly, because the opinion of the electorate is that Mr. Meighen should be second place, and everybody is unanimous that he should take second place?—A. Yes.

Q. And yet he is absolutely eliminated?—A. Yes, that is the possible result. I am afraid it is a possible result.

By Mr. Wermenlinger:

Q. Not very probable?—A. It might be possible. Here is a case in which it might be possible. Take the case of a Prince Edward Island constituency. Suppose the whole of Prince Edward Island were made into a single three-member constituency. We will suppose that there are five Liberal candidates running in Prince Edward Island. There are three or four local men from different sections of the Island, one in the east, one east-central, one west and one west-central. Each of these men has a local following in his own county. Then in addition to them, some national figure—and I mention Mr. Dunning—also runs as a Liberal candidate. It might possibly happen that in each part of the Prince Edward Island constituency the voters would give the first preference to the men from their own county, and always give their second preference to the national candidate, the national figure, Mr. Dunning. Under those circumstances Mr. Dunning should certainly secure election; and yet it is possible that he might not do so. I will concede at once that that is a fault of this method of election.

By Hon. Mr. Stevens:

Q. But you cannot give me what the reason is for that decision, choosing a specific group of second choices?—A. It is easier to see it in the case of distributing the surplus than it is in the case of distributing the total vote. By the elimination of candidates it is easy to see that the candidate who has got too many votes should spare some of them to other candidates. It is not so easy to see what particular candidates.

Q. The idea that has always been in my mind as one of the weaknesses of the system is that you distribute the surplus of a specific man. I am speaking just as an individual. I might have no use for this man at all. His first or second choices do not interest me at all. But my choice which is, we will say, the second choice down the line, never received any consideration at all?—A. Well, that is a fault of the system, I concede. I concede that at once. All I will claim for it is that in the end you get some substantial justice as between parties. The individual candidates do have to suffer; and the preference of the voters, some preferences of some voters, are taken more seriously than others.

Q. Yes, I am inclined to agree with you in that statement?—A. Yes.

Q. But what this committee, of course, has got to do, and what, for instance, I should like to do who am more or less friendly to the idea, is to justify it. I have never been able to get anyone yet who could explain those two points to me, that is as to some—I call it scientific or philosophical—real justification for the decisions that are made. I think they are arbitrary, and in so far as they are arbitrary they are on an exact par with the present system, not in its effect but in the nature of the decision. At the present time we will say there are three candidates running. The winner gets elected. That is an arbitrary decision. There is no philosophy behind it. There is no science behind it. There is no justice or equity. It is just simply a decision.

Mr. ROBICHAUD: Secured by counting all the ballots instead of counting the surplus.

Hon. Mr. STEVENS: It does not make any difference.

Mr. ROBICHAUD: There is more work.

By Mr. Glen:

Q. You say Mr. Lapointe gets the quota?—A. Yes.
Q. He has 25?—A. Yes.
Q. And 17 makes the quota?—A. Yes.
Q. Those eight are distributed—A. Yes.

Q. Are those second choices in his 17th votes not also counted?—A. They are counted first of all. They are counted before any votes are distributed.

Q. The whole 25 are carried over?

Hon. Mr. STEVENS: No. They are counted and distributed, 5 and 3.

WITNESS: The whole 25 are counted. In what proportion they go—is determined.

Hon. Mr. STEVENS: 5 and 3.

WITNESS: Then it is found on distributing the surplus in those proportions, 5 of those go to Mr. Dunning and 3 to Mr. Massey. I think I had better go on now and distribute Mr. Meighen's votes. As it happens, they both go to Mr. Ferguson, raising his total now to 8. There is still no second candidate to secure a quota, so we have to proceed to eliminate another candidate again at the bottom of the poll. This time it turns out to be Mr. Herridge. Mr. Herridge's votes, when they are examined, are like this: one of them goes as the second preference to Mr. Meighen, but Mr. Meighen has already been eliminated, so the second preference is useless, and you look for the third preference. We find that the third preference on this particular paper goes to Mr. Bennett, and so you transfer one of Mr. Herridge's three papers to Mr. Bennett.

By Mr. Jean:

Q. You have eliminated Mr. Meighen?—A. Yes.

Q. And you have distributed the additional amounts?—A. They have been distributed. I am now distributing Mr. Herridge's votes. I jump over Mr. Meighen pretty quickly.

By Hon. Mr. Stevens:

Q. What did Mr. Herridge's first vote show?—A. Mr. Herridge's first ballot showed as follows: On Mr. Herridge's second preferences, 1 for Mr. Bennett; 1 direct to Mr. Ferguson—1 went to Mr. Ferguson and 3 to Mr. Meighen.

By Mr. Purdy:

Q. You are counting third preferences there.—A. That is true. Later on we will find that on some of the papers the preferences are lower than that.

Q. Would you elaborate on that a little? Is that the system actually followed in Winnipeg?—A. Yes. This is the system, getting the cards shifted from one heap to another. There is an arbitrary element about it, it is true. If you want higher mathematics, you will have to go to the National Research Council, and it will take a lot of higher mathematics to explain it. Now, that carries us on. We have got rid of two of the conservative votes at the bottom of the poll and we still haven't reached a quota anywhere. The next candidate to be eliminated is Miss Macphail, with 6 votes; and in her case the transfer is quite easy, her 6 votes all go to Mr. Woodsworth on second preference. That raises Mr. Woodsworth from 11 to 17, and Mr. Woodsworth is declared elected, with 17 votes.

Q. Therefore, you are doing nothing with Mr. Woodsworth's second preferences?—A. There is nothing done there at all. Mr. Woodsworth is elected. There is no need to consider his second preferences any further. He is elected by 11 of his own first choice and 6 of Miss Macphail's second choices, so you have 17 voters who are strongly in support of Mr. Woodsworth.

By Mr. Glen:

Q. You want to elect a man as a representative to Parliament, and here is one man who is elected on first choices. Is the man who was given second choice not to be considered at all?—A. Some second preferences are counted and not others.

Q. But the fact is, with respect to the men who voted, that many of them had a second choice which was not considered. There were also others who had a second choice, and it might be that those might have been for Mr. Meighen who is now out of it altogether?—A. Don't you think that these voters who voted for Mr. Woodsworth as their first choice are pretty well satisfied, and they do not need to be considered with respect to a second preference.

Hon. Mr. STEVENS: There is a tremendous amount of hazard in it.

The CHAIRMAN: Gentlemen, there seems to be too much discussion between members here. The reporter is having difficulty in getting notes. I think the questions should be directed to the witness, and we can discuss this matter among ourselves afterwards if we want to.

By Hon. Mr. Stevens:

Q. I was going to say, there is an element of hazard which arises right there, because it might just happen to be the case that because of some passing incident some one man would be in the public eye and he would therefore be likely to get elected on the first ballot. It might be a case like that of the mine disaster in Nova Scotia, or some happening of that type, which brings some one man prominently into the public eye. It is merely the second preferences which are the determining factor in really determining public opinion. There may be other people interested whom the public want as they indicate by their second choice, but they never get a chance to be considered. That is the point that worries me. They are not even considered, Mr. Wright?—A. I think I see your point. I think I can answer it by saying this, we will suppose, take Mr. Lapointe again, we will suppose that he got more votes than those which I have given him here. We will suppose that he got 50, nearly three times the quota. Now, that is a surplus of 33. Aren't these 33 votes entitled to a second choice?

Q. No more than everybody else?—A. Their first choice is useless.

Q. I do not want to argue this, but my point is that every man's vote is sacred and is equal to every other man's vote, I don't care who he is; I don't care whether it is Mr. Lapointe, Mr. Lapointe's second choice, or Mr. Bennett, or anybody else; all these men are just as much entitled to have their vote recorded as anybody else, and in exactly the same way. That is the point, and that certainly is not given.—A. I contradict you very definitely on that. I claim it is just the other way around. If Mr. Lapointe's 50 stick with him all the time, then other candidates will be elected later on on a quota of much less than 50 votes.

Q. And it is Mr. Lapointe's second choice only that they are considering.

Mr. CAMERON: They are not Mr. Lapointe's at all, they are for some other man altogether. They do not become the second choice just because Mr. Lapointe got first place.

Hon. Mr. STEVENS: It is only second choice as they appear on Mr. Lapointe's ballot.

Mr. CAMERON: On his first choice ballots.

Hon. Mr. STEVENS: The second choice on any other ballot is not considered at all.

By Mr. Wood:

Q. In other words, Mr. Lapointe's 17 votes on which he is elected; because, there are 5 men to be elected in this group constituency. I cannot understand why these 2nd, 3rd, 4th and 5th choices are not taken into consideration in that 17 that you are discarding altogether?—A. But, they are taken into account.

Hon. Mr. STEVENS: That is so.

WITNESS: These are second preferences. All of Mr. Lapointe's second preferences are counted.

By Hon. Mr. Stirling:

Q. In order to get the ratio of what is to be determined?—A. Yes.

By Mr. Jean:

Q. I think the expression used is not correct?—A. You feel that it is unfair to count Mr. Lapointe's second preferences before you count the others.

Mr. JEAN: Those second preferences go to some other candidate. You have given it to Mr. Lapointe.

Mr. WOOD: I would think these 17 votes would have just as much right to be honoured as yours. The point raised by Mr. Stevens I think is very pertinent.

Hon. Mr. STEVENS: You see, Mr. Jean, there are 100 ballots marking 100 first choices. Why take them off? These ballots also have a second choice indicated, and out of that 100 ballots, of that second choice, you take 25 of Mr. Lapointe's own first choice ballots; you arbitrarily take these away and 75 of the second choices in that second distribution are not considered at all. That is an element, I think, of very very grave unfairness.

WITNESS: It is not unfair.

Mr. WERMENLINGER: It means, Mr. Chairman, that these 25 second choice people will elect another man.

By Hon. Mr. Stevens:

Q. Why don't you count all the second choices and make a distribution on that basis; make it at the same ratio and count them all?—A. In that case you would not get proportional representation, you would not get the parties balanced.

Q. If you are after balancing parties I think you might as well stick to the old system. It is not that. It is a question of keeping a party from getting 30 per cent of the votes, or 35 per cent of the votes—of keeping them in proportion?—A. Yes.

By Mr. Wermenlinger:

Q. But my point is this: 25 second choice for Mr. Lapointe have the privilege of electing the next man sooner than any other voter. I do not think that I understand it aright.

The CHAIRMAN: Order, please.

WITNESS: I appreciate that point now. It is a fault of the system, so far as the individual candidates are concerned. I can see that.

Mr. WERMENLINGER: That makes two faults.

WITNESS: No, that is the same one. You do have this certain arbitrary element about the first and second preferences. All I claim is that this fault, as between candidates, is much more than off set by justice as between parties.

By the Chairman:

Q. It goes even further than that, according to the way that you have voted. On one of Mr. Meighen's ballots you took 3rd choice?—A. Yes.

Q. Although there are any number of ballots there on which the second choice has not been considered?—A. Yes. You see, what we are doing now is building up a group of Conservative voters, and these Conservative votes are steadily travelling toward one candidate until they secure his election. That is really what is happening. Whereas otherwise, if you did not do that, you would have the original Conservative votes scattered among a number of candidates none of whom would ever have a chance of securing a place in parliament at all. We are working up to one Conservative selection now.

By Mr. Jean:

Q. The principle of proportional representation is to elect members to each party according to the number of votes given to a party?—A. That is the fundamental purpose.

Q. Is it not possible that in that way of counting your votes you may happen to have only one party elected?—A. I beg your pardon.

Q. Is it not possible that in that way of counting your votes you might only get one party elected; you might possibly have 5 of the same party elected?—A. Not unless they have more than 5/6 of the votes cast originally. You would need to have 5 quotas. You would need to have 85 per cent of the votes to fill all 5 places.

Q. If the preference were given to only one party you might elect 5 men of the same party?—A. Not so.

Q. I can't see it?—A. If the party is not large enough for that originally you do not transfer enough votes to build up a complete majority like that. Does that answer your point?

Q. I still think it is possible that all of the transfer may go to a certain party?—A. That would be, if there were a tremendous majority of voters for one party. That would be perfectly fair. If Alberta were 85 per cent Social Credit it would be perfectly fair for all the members from Alberta to be Social Credit.

Q. The first choice would be divided among every party?—A. Yes. But if Alberta was about 85 per cent—I will show you now how it works out on the distribution of the votes.

The CHAIRMAN: I think Mr. Wright might proceed now to finish this election.

Mr. CAMERON: It is only fair to let the witness complete his presentation.

WITNESS: We have now two or three more transfers to make. We have transferred Mr. Meighen's, Mr. Herridge's and Miss Macphail's votes. The next candidate to be elected is the Independent candidate, Sir Edward Beatty, who had 8 votes altogether. Five of these votes go to Mr. Dunning, three to Mr. Bennett.

By Mr. Glenn:

Q. That is on second choice?—A. Yes.

By the Chairman:

Q. You say 5 go to Mr. Bennett and 3 to Mr. Dunning?—A. Yes, 5 go to Mr. Dunning and 3 to Mr. Bennett. That raises Mr. Dunning's total to 18 and Mr. Bennett's to 16. Mr. Dunning is elected and he has one vote to spare. He has 18 but he needs only 17. We transfer one of those votes from Mr. Dunning so we pick it up to see where Mr. Dunning's surplus should go, and we find that the surplus of one vote goes to Mr. Bennett, raising Mr. Bennett from 16 to 17. So, Mr. Bennett is now elected.

By Mr. Purdy:

Q. Why does Mr. Dunning's vote go to Mr. Bennett?—A. That is the way the ratios go. There would have to be a certain amount of computation there to ascertain where that vote should go.

By the Chairman:

Q. You would have to give 3 of those 18 votes to Mr. Dunning?—A. You would have to give 3 of these votes transferred from Sir Edward Beatty to Mr. Dunning.

Q. You would have to give 3 of Dunning's ballots too, wouldn't you?—A. That could be done.

By Mr. Wood:

Q. That is what I do not understand; how you determine which one of these 3 votes—which ones of the Dunning votes and which ones of the Beatty votes—you transfer. From this it would appear that it is the third preference that is taken as the basis of allocation, and it is placed to the credit of Mr. Bennett. How do you arrive at which one of these you take? Maybe I am dumb.—A. No, no; you are not at all. You are raising just the points which have puzzled me over and over again when I discuss this, and when I discussed this matter originally; and they are all important points, and they are all fundamental. They do not upset the principle of the thing, but they do affect the details of it.

Q. For instance, these three choices on the other two ballots transferred from Mr. Beatty to Mr. Dunning; what was that done for?—A. We could do that. I am afraid I did not mark the preferences with sufficient completeness to cover that. I just marked what I thought would be the relevant preferences in these cases.

By Hon. Mr. Stirling:

Q. Supposing the trend had been altered, which one then would you have selected; one being a third choice Bennett, one a third choice Herridge, and one a third choice Meighen. Which would you select?—A. In that case you would have to leave it to the discretion of the returning officer. When you are dealing with a large number of voters you can work out ratios, and you will find that there will be definite ratios merging.

Q. In that case you would have to work by ratios?—A. Yes. Now, the proportional representation society in arriving at the use of this method said that you will make transfers of these third and fourth preferences somewhat by chance, and you just trust to the general law of averages to make your later transfers equitable. But, in certain cases, I think in some of the Australian elections, they do carefully compute all of these ratios, right from top to bottom, to make sure that they are transferring voting papers just as the voters as a body have wanted them to. Those are details. You can decide whether to leave a certain amount of the transfer to chance, or whether you will be rigidly mathematical all the way through.

Now, that leaves just the three candidates in the running; Mr. Hepburn, Mr. Ferguson and Mr. Massey. Mr. Ferguson with only 9 votes is below Mr. Hepburn with 12, and Mr. Massey with 11. We take Mr. Ferguson's votes and transfer them, and we find that of these votes 6 go Mr. Massey on second ballot preference, 1 goes to Mr. Ferguson, and 2 did not have any preference which can be counted at all. But, these 6 votes, going down as far as Mr. Massey—some are third, some fourth and some fifth preference—decide that Mr. Massey rather than Mr. Hepburn should be elected.

By Mr. Purdy:

Q. You are counting the 3rd, 4th and 5th preferences?—A. In this particular case; because all the other candidates have either been eliminated or elected; and that again is to some extent a weakness of the system that when you come to these last choices going to elect the last member or two you do sometimes have to go down rather low in your preferences to the 3rd, 4th, 5th, 6th and 7th preference in a particular group of voting papers.

The last candidate is chosen to some extent by elimination. He gets the voting papers that are left over after the other candidates have been dropped. But, here is the result of the election so far as the party vote is concerned: There were 55 first preferences cast for Liberal candidates; there were I think about 20 cast for the Conservative candidates, 17 C.C.F., and 10 for the

Independent candidate, Sir Edward Beatty. So, the ratios are roughly these: Liberals are entitled to 3 seats, because they got Mr. Lapointe, Mr. Dunning and Mr. Massey; the Conservatives with 20 votes are entitled to 1, and they got Mr. Bennett; the C.C.F. has 17, and they are entitled to 1; the Independents represented by Mr. Beatty were in the minority, they could not secure a candidate at all, but they helped to elect Mr. Dunning; they perhaps preferred that Mr. Dunning rather than some other Liberal candidate should be chosen to represent them if Sir Edward Beatty was eliminated. That is roughly the way these ratios work out. You get ratios that are roughly 3-1-1; that means that you will elect candidates in proportion to that ratio, 3-1-1. That is the way it works out in a case like this.

So far as representing the parties is concerned the system I think is practically invaluable; although, I will concede right away that in so far as justice between the men is concerned it is not so sure. It might easily have happened, as I say, that Mr. Meighen might be second choice of all the Conservatives and yet have been eliminated at an earlier stage again because he did not get many first preferences. That is a fault of the system. It could be overcome. The system could be developed to get rid of that difficulty. It would need a great deal of careful working out to do that however. No society, and no individual, has as yet tried to work out any method of counting that would overcome that particular kind of injustice.

Q. And certain 3rd, 4th and 5th choices have been determining this election, whereas a lot of second choices have not been used?—A. That is the case. But if you will look through these papers you will find that in almost all cases; and if you look through this matterial you will see that practically all the votes given in the 5 polls to the 5 parties elected show a very high preference. Very few of them are low preferences. So that every voter is fairly certain that he can secure some representative to whom he is very considerably attached. It might not be his first choice, but it is his second, his third or his fourth.

Perhaps you will permit me to add something about a special case which is of particular concern to me, that is with regard to the English university election. I have a vote for the University of Oxford myself, and although I was not able to exercise it might I tell you what happened at the last election. The Conservative party is pretty sure to return both members to parliament. A Liberal or Labour candidate has practically no chance of securing representation at Oxford. And the orthodox Conservatives in this particular case put forward two candidates; one of them was Lord Hugh Cecil, who has represented the constituency for a good many years and who has practically a life interest in the seat; and the other was a new man of I think pronouncedly Conservative views—I think his name was Cruttwell. Now, the Independent Conservatives offered Mr. E. P. Herbert. He decided to run against Mr. Cruttwell, as an Independent-Conservative, and he put forward some very interesting proposals as to what he would do as a private member if he were elected.

Now, when the votes were counted Lord Hugh Cecil headed the poll, and I think Mr. Cruttwell came second, Mr. Herbert third, and the Labour and Liberal candidates perhaps fourth and fifth. Now, the Labour candidates votes were transferred, and I think the Liberal votes too, and as they were transferred they built up Mr. Herbert's total, with the result that he secured a majority over Mr. Cruttwell. The consequence was that Oxford is still represented by two Conservatives; but, instead of being represented by two Conservatives who were both acceptable to the chiefs of their own party and to nobody else, one of these Conservatives is a man who is distinctly liked by both the Liberal and the Labour voters of that constituency; so that to that extent they feel that they are represened by Mr. Herbert, much more so than they would have been by Mr. Cruttwell. My own vote, if I had been able to cast it, would have been first Labour, second Liberal and thirdly Herbert. Personally I am very glad that

Mr. Herbert is there because I feel that to some extent, although he is a Conservative, he does represent a good many of my views. And that is the case that often happens when you are working under proportional representation. You will find that often although members who are elected are not of your own party, still on the basis of party, they are the men whom you would prefer to have represent you. In this particular case, for example; Sir Edward Beatty's votes went to certain candidates, and they secured the election of Mr. Dunning and Mr. Bennett, who might be particularly acceptable to the kind of voter who would support Mr. Beatty as a first choice.

The CHAIRMAN: Are there any other points for discussion in this matter?

By Mr. Wood:

Q. Take in the case of these five candidates—If you were running in a single-member constituency undoubtedly the proportion of votes would be somewhat in proportion to the ratio of the whole aggregate of the five constituencies; or, in other words, we will say that it took—that there are 100 voters in the constituency?—A. Yes.

Q. That would be 500 votes?—A. Yes.

Q. Well, the ratio of 17 is fairly—20 would be the ratio of proportion; and, of course, you have to make a majority?—A. Yes.

Q. If I were running in that one constituency I would have to get 51 votes in order to be sure of the election?—A. Yes.

Q. And 51 in relation to the 500 would be more than the same ratio in proportion—about 1/5, plus a sufficient majority. It may have been that I had 60, and that would compare very favourably with the average if that were the amount of a single-member constituency. I think I can understand as a fundamental principle how that is arrived at. There has to be a ratio determined in the system of counting. I am not so sure that I am clear that this is the particular system of counting in the point system, or as to the value of these votes. It seems to me that under this system you are destroying the very purpose you hope to accomplish?—A. I agree that it would be desirable to have some kind of a point system. It has its advantages, and if you could plan some kind of a point system with the system of transferable votes, and with the system of multi-member constituencies, then you would have an ideal system of voting. But the plain fact of the matter is that that particular system of voting has not yet been invented. That was one reason why I preferred the suggestion that the matter should be referred for further consideration to a Royal Commission, and that the Royal Commission itself should appoint a subcommittee, to consider the question of methods of voting from the point of view of these complex rules. The matter is as complex as that, because voting is really a very complex matter, you see, for one thing.

Q. I wonder if we are not putting too much stress on making sure that expression of opinion is given at election time. After all, is not the opinion of the people supposed to be a chart for the government to follow for five years to come? We elect parliament for five years. In five years time there may be a different opinion, in the sense of political opinion. Every time public opinion changes, do you think it is necessary to have an election? I wonder if proportional representation does not just over-stress that argument too much?—A. I think, on the other hand proportional representation would rather make the people's mandate much more clear, because you would be fairly sure then that your members did represent the real views of your voters, a much larger opinion than they do now.

Mr. WOOD: I will admit the point I raised is somewhat beside the question, probably. Nevertheless, I thought it was a good time to introduce it.

By the Chairman:

Q. There is just one other question. Both the other witnesses were asked as to whether they thought it was advisable to put this proportional representation system in effect in the whole of Canada?—A. Yes.

Q. What have you to say as to that?—A. That is a point I did want to discuss with the committee very definitely. The answer I think we give is that ten years ago it would have been distinctly inexpedient to do so. But modern technical methods of influencing public opinion and of educating public opinion have doubled so much that it is perhaps possible now to work with much larger constituencies than it would have been ten years ago. The radio, for example, helps to bring political information home to a much larger constituency that before, and it is not so necessary for a single candidate to tour the whole of a large constituency. It is possible now to multiply candidates to a certain extent by means of the sound films, so that each candidate would work in person in a certain part of each constituency, and would show the other candidates on the screen by means of sound films. They would make a complete appearance in that way. I think these technical methods of reaching larger constituencies count a great deal in justifying larger constituencies now.

By Mr. Cameron:

Q. So far as that is concerned, you must bear in mind that it costs a dollar a minute to the candidate or to the party to get the radio operating.—A. Yes. That is perfectly possible. That may be the way in which voters are being reached, more so than perhaps through personal meetings.

Q. It would be very expensive?—A. Is it not anyway? Has not that tendency already developed?

Q. Well, it is in a way through central organizations?—A. It is an unfortunate fact about the situation that the use of radio is going to strengthen party organizations very considerably. It will give the wealthier party a distinct advantage.

Q. I think you did very well in explaining this to the committee, but I want to ask one more question. Does the advocate of proportional representation furnish any reason why, after Lapointe is elected, all the second choices expressed on the ballot should not be put together and the second man might be almost as high as Mr. Lapointe? Do you understand me?—A. Yes. That is perfectly possible.

Q. If you want to get an expression of opinion why do you not proceed in that way?—A. You could do so. In fact, I am here to some extent as a critical advocate of this system myself. I do not believe it is a perfect system. I just put it forward as a system which does something to give justice between parties. If we could get a better system by mathematical research work, I would very much like to see it myself. I mean, I thoroughly agree with those criticisms of yours.

Q. Of the same group of electors who went up and gave fifty ballots to Mr. Lapointe, 48 of them might have taken one man as their second choice, if you looked at all theirs.—A. Yes.

Q. Then he should have come second to Mr. Lapointe?—A. Yes. I do want to see a better method of counting the votes than that. There is a method of voting described in this report of the British Royal Commission of 1910 upon methods of election. There is a valuable statement here upon the methods of election which I would particularly like Mr. MacNicol to see. This shows also some curious paradoxes about voting. It discusses, by the way, that method of voting which was brought in from Butte, Saskatchewan.

Q. Is it very lengthy?—A. No, I do not think so. It calls attention to the fact that when you get a group of people voting and trying to make a choice,

you get an inconsistent result. You can have a group of say 15 voters, and you will ask them to say or you will put the proposition to them to be voted upon, first of all: Anderson is better than Jones, and they will agree to that. Then you will put to them the question that Jones is better than Robinson and get a majority in favour of that. And last of all you put the question, Robinson is better than Anderson and you get a majority in favour of that again. The vote has gone around in a circle. Every time you try to compare a number of men, two at a time, you will always find that you get a curiously inconsistent result. That is a paradox of voting. It is a problem you will always come up against in studying methods of voting. There is a method of overcoming it to some extent. It is the method that is suggested here in this particular paper, the so-called Nansen method of voting. It is a point method of voting. It tries to overcome that.

By Mr. Wood:

Q. The ballots are valued?—A. Yes.

By Mr. Cameron:

Q. If you do not put that statement on the record, would you put the complete reference on so that members can turn it up?—A. Please do so, because it is a very important paper.

The CHAIRMAN: Would you just mention what book it is in?

By Mr. Cameron:

Q. Would you give the proper citation?—A. Yes. The document itself is a report of the royal commission appointed to inquire into electoral systems.

Q. That is in what volume?—A. It is sessional papers of 1910, British sessional papers of 1910, volume 26. The particular documents I am referring to is appendix 21, page 337 of the volume and page 39 of the report.

The CHAIRMAN: Are there any further questions? Have you anything further, Mr. Wright?

WITNESS I do not think there is anything further which I have to discuss with the committee now.

The CHAIRMAN: Gentlemen, Mr. Wright has done a lot of work arranging these ballots, and you may wish to have a look at them before you leave the room, when we adjourn. I want to express to Mr. Wright our appreciation of his attending before the committee and giving us his assistance in our endeavours to arrive at some conclusion.

Mr. CAMERON: I think the frankness of the witness is very commendable. He does not claim perfection for his system.

The CHAIRMAN: We have the bill prepared now on by-elections, and we want to have a meeting on Tuesday to deal with that bill. We will have to come back to proportional representation later.

The Committee adjourned at 12.40 p.m. to meet again on Tuesday, May 5, at 11 a.m.

HOUSE OF COMMONS, ROOM 429,

May 12, 1936.

The Special Committee appointed to study the Dominion Elections Act, 1934, and amendments thereto and the Dominion Franchise Act, 1934, and amendments thereto, met at 10.30 a.m., Mr. Bothwell, the Chairman, presided.

The CHAIRMAN: Gentlemen, will you please come to order. You all know that Mr. Butcher has spent quite a long time investigating proportional representation. At our earlier meetings he placed upon the record some of the facts as disclosed from his studies. This morning he is going to give the committee some of the conclusions he has come to after his studies of both the alternative ballot and proportional representation.

Mr. HARRY BUTCHER, recalled.

WITNESS: Mr. Chairman, in connection with my reading on the subject of proportional representation and the transferable vote, I have discovered many things as the result of which I prepared quite a long memorandum in the first instance; but after Mr. MacNicol had made his splendid representation as recorded in pages 71 to 100 of the minutes of proceedings and evidence, I thought, perhaps, it would be the wish of the committee that since I subscribe to what Mr. MacNicol said I should somewhat abbreviate my own memorandum on the subject. I have done that. I have endeavoured more or less to make a synopsis of the evidence I have obtained, and to draw conclusions therefrom.

There is a great difficulty as must be recognized by you, sir, and by every member of the committee in arriving at conclusions upon such subjects as this. One reads books in favour of it which are very impressive and then one reads books which are against it, and they also are impressive which means that different men draw different conclusions from the same set of facts. The student is at times rather bewildered as to what conclusions one should arrive at after reading about these things when the only experience one has of them is gained by reading, instead of having actual experience of elections conducted under the system.

Sir John Fischer Williams defines proportional representation as follows:—

> Proportional Representation is the name given to *all* those electoral methods which aim at reproducing in the elected party the opinions of the electorate in their true proportions . . . . all such electoral methods have this in common, that they reject the attempt to represent by one individual the electors resident in one geographical area . . . . and require constituencies returning several members. The members thus elected represent the sections of electors whose votes have caused their election.

Before I began my studies I took the opportunity of consulting with a man who is a very strong proponent of proportional representation, and I asked him to direct me to the best authorities on the subject, telling him that I wanted to read all I could in favour of proportional representation as well as to read the criticisms of those who are not advocates of the system. This gentleman advised me to read books by Sir John Fischer Williams, John H. Humphreys and Messrs. Hoag and Hallett, as he regarded them as the principal works and

the most effective works upon the subject. I followed his advice, and that is why I quote from Sir John Fischer Williams in my opening remarks. Sir John Williams states that there are at least 300 systems of proportional representation in existence and that the ingenuity of inventors shows no signs of exhaustion. The proportional representation system was originally invented by Thomas Wright Hill, of Birmingham, England, and there is evidence that it was invented before the year 1821—more than 115 years ago—for in that year Roland Hill, later Sir Roland Hill, speaks of his own election to a committee of the Society of Literary and Scientific Improvement by means of his father's invention.

The first application of the principals to public elections was made at Adelaide, South Australia, in 1839. We are informed that South Australia at that time was a colony of only a few hundred inhabitants. I understand that Hill was responsible for the conduct of that election under that system.

In 1856 the single transferable vote method of applying proportional representation was devised by M. Andre, the Minister of Finance, in Denmark. Then, in 1857, one Thomas Hare, an Englishman, developed improvements in the system and published a plan for electing members at large throughout the country. We read that for forty years there was little development in the movement, and during that period the "list" system, to which reference will later be made, was adopted on the continent of Europe.

In 1884 the British Proportional Representation Society was founded and has since that time been very active in advocating the adoption of their system throughout the world. The principal advocates of the system in Great Britain for the last fifteen or twenty years have been Mr. John Fischer Williams, now Sir John Fischer Williams, and Mr. J. H. Humphreys, both of whom have published several books and have written many articles upon the subject.

In the United States of America, Messrs. C. G. Hoag, A.M., and George Hallett, Jr., Ph.D., are the best known advocates of Proportional Representation, and they are the joint authors of what is probably the most widely read text book on the subject: "Proportional Representation," published in 1926.

Messrs. Williams, Humphreys, Hoag and Hallett, as well as other advocates of the system, base their objections to the existing majority system on the alleged weaknesses in that system. They claim that it is impossible to secure proper representation for minorities under the single-member district system and that, therefore, that system is unjust to those minorities.

Messrs. Hoag and Hallett declare that the relative majority system lends itself to what they describe as the "Balance of Power Evil." They also allege that political independents are excluded from Parliamentary life under the present system, that well-known and trusted leaders are often defeated where under Proportional Representation they would certainly be re-elected. That under the present system co-operation is discouraged and gerrymandering is facilitated. They further claim that the single-member district system of electing representatives is fraught with grave danger to the very foundations of constitutional democracy; and that legislative bodies elected to the State Legislatures and the National House under the relative majority system are habitually thought of as misrepresentatives rather than as representatives by the great majority of voters.

I propose to deal with these allegations later in my remarks.

The foregoing authors, as well as other advocates of Proportional Representation, claim the following advantages for their system:—

That its adoption would lead to—

(1) unanimous constituencies,

(2) majority rule,

(3) just representation for minorities,

(4) that the Gerrymander would no longer be a useful weapon in the hands of a governing party,
(5) that unorganized groups would get fair representation,
(6) that their system is " a sensitive and accurate instrument for measuring changes in the public will, though it never exaggerates,"
(7) that incentives to direct action are reduced to a minimum,
(8) that all elements will be willing to co-operate if they are fairly represented, and they will be if the method of election is Proportional Representation with a single transferable vote,
(9) that Proportional Representation is a check to machine rule,
(10) that there is a greater freedom to nominate candidates under Proportional Representation than under the existing system,
(11) that a better feeling is engendered in election campaigns,
(12) that the element of fraud is reduced materially under Proportional Representation,
(13) that Proportional Representation makes it possible to call on the best minds of all parties for leadership and criticism.

I propose also to deal with these claims later in my remarks.

The expressed aims of the Proportional Representation Society of Great Britain are as follows:—

(1) to reproduce the opinions of the electors in Parliament and other public bodies in their true proportions,
(2) to secure that the majority of electors shall rule and all considerable minorities shall be heard,
(3) to give electors wider freedom in the choice of representatives,
(4) to give representatives greater independence from the financial and other pressure of small sections of constituents,
(5) to ensure, too, parties shall be represented by their ablest and most trusted members.

And I presume that these will be considered very worthy aims.

I have made it my duty to try and see how far these aims have been realized where Proportional Representation has been adopted.

I presume that all thoughtful men have at times been concerned at the apparent inequalities of the majority system under existing circumstances, in which an absolute majority is rare, and the relative majority the common thing. I think, therefore, that the proposals of the Proportional Representation Society should be very sympathetically though critically examined.

Since the formation of the British Proportional Representation Society many countries throughout the world have adopted the system either for Federal, Provincial or State or Municipal elections, but the method of computing the votes has differed in different countries. Out of the rather more than 300 systems, it is probable that about five are most frequently employed. They are as follows:—

(1) The single transferable vote;—This system is used almost exclusively in English speaking countries. With this system the Droop quota is generally used. This quota is arrived at as follows—The number of votes recorded is divided by the number of condidates to be elected plus one and one is added to the result. The method of conducting the count is described quite fully in

I refer you here to appendix 1 of Horwill on proportional representation.

(2) The single non-transferable vote in multi-member constituencies—This system is used in Japan.
(3) The list system—This system is used in most continental countries employing Proportional Representation methods of conducting elections.

This system was explained to the committee on Thursday, March 5, and by Mr. MacNicol on April 2. Electors vote for lists of candidates and not for individuals.

(4) The Uniform quota—This form was formerly employed in Germany, the quota being 60,000 with adjustments as to remainders. This system involves fluctuations in size of districts and also in number of members.

(5) The D'Hondt method of computation advocating the adoption of a lower quota than the Droop, so that the full number of seats can be allotted on the first assignment. (Any quota may be adopted if it will allot just the right number of seats on the first allotment.)

The above five systems are those most commonly employed and I have not thought it advisable to study or report upon any of the other approximately 300 systems.

A new system, known as the "Point" system—This system has recently been invented by Messrs. W. M. Eddy and L. S. Spidell, of Central Butte, Saskatchewan. It is somewhat similar to the system employed in Finland. Messrs. Hoag and Hallett say as follows with regard to the situation in Finland:—

> In Finland each voter may express his own order of preference, but the method of counting is such that his second or third choice may be used to defeat his first. In determining the standing of candidates within a list, the first choice of each voter is counted one vote, the second choice one-half vote, the third choice one-third vote, all later choices being disregarded.

I propose to refer again to this particular system.

I have already mentioned that the Hare System of Proportional Representation with the single transferable vote has been adopted principally by English speaking countries. In Great Britain it has been adopted for University elections only. In the Statutes providing for the first election of the Parliaments of Northern Ireland and the Irish Free State, it was provided that those elections should be conducted under the Proportional Representation System. Great Britain also provided for a similar system of election for the Island of Malta and for certain indirect elections in India under the Government of India Bill.

In the Dominion of Canada, Proportional Representation has been adopted for provincial elections in Winnipeg, as well as for municipal council elections in that city. In Alberta, Proportional Representation has been adopted for provincial elections in the multi-member constituencies of Edmonton and Calgary.

In the provinces of British Columbia and Saskatchewan, Proportional Representation was in 1917 and 1920 respectively made optional for certain municipal elections, and was adopted by the cities of Vancouver, South Vancouver and West Vancouver (now merged), Mission, New Westminster, Port Coquitlam and Nelson, and in the province of Saskatchewan for the cities of Regina, Saskatoon, Moose Jaw and North Battleford, but in all the cities mentioned both in British Columbia and in Saskatchewan Proportional Representation has since been abolished, either by popular vote or by act of council.

The State of New South Wales adopted Proportional Representation in 1920 and conducted three elections under that system. After those three elections the State abolished Proportional Representation and adopted the alternative vote.

Tasmania has employed Proportional Representation in their elections for more than thirty years.

Within the United States some four or five cities (perhaps more) have at some time or other adopted Proportional Representation, notably Cincinnati,

Toledo, Cleveland and Kalamazoo. Cleveland, however, abolished the system and Kalamazoo discontinued the use of it because the courts held it unconstitutional.

European countries that have at some time or other adopted Proportional Representation are as follows:—Belgium, Denmark, Switzerland, Norway, Sweden, Finland, Germany, Austria, Poland, Luxembourg, Czecho Slovakia, Estonia, Latvia, Lithuania, Greece, and Italy.

In the light of the claims made for Proportional Representation, we can now consider the known history of that system in all the countries named whether Empire or Foreign.

The Irish Free States still continues to use the system both for Parliamentary and Municipal elections. The same is true of Malta. The election of members for the universities of Great Britain is also conducted under Proportional Representation with the single transferable vote. In the Province of Manitoba the election of members for the city of Winnipeg in the Provincial Legislature are still held under the system, and Mr. C. V. McArthur, K.C., who has been returning officer for the city, writes me under date of January 13 and gives me his impression of the system as experienced in the city of Winnipeg and it is most favourable.

Mr. McArthur who is a powerful advocate of the system says:—

> The system of Proportional Representation to be given a fair chance must be properly employed. In Dominion elections the city of Winnipeg and district elects four representatives, each one representing one of the four constituencies. If Proportional Representation is adopted, these four members will be elected at large. Unless large units electing several members are set up, it is my opinion that the system cannot operate properly. Winnipeg affords a better illustration than any other city in Canada. There were some 120,000 on the city list for the last election, and three Proportional Representation counts have been held here. It would take a little time for me to obtain the information but, if it is required, I would be able to obtain a summary of each of these counts showing the number of persons employed, the time spent and the cost.

In the Province of Alberta, the system of Proportional Representation is still employed in electing members for the Provincial Legislature for the constituencies of Edmonton and Calgary.

Practically all advocates of Proportional Representation refer to the large number of countries that have at some time or other adopted Proportional Representation and it has been claimed that it has proved conducive to good government in the countries that have adopted it. It is further claimed that the countries that have adopted the system have been remarkably well satisfied with it. This is probably true of Denmark, Switzerland, Norway, Finland and Sweden, but it is doubtful if it has been true of any other country, with the possible exception of Belgium. The following may be said to be the history of Proportional Representation in the countries named.

Writing in 1918 of the situation in Belgium, Sir John Fischer Williams observed that the adoption of the system in that country had not led to multiplication of parties. Mr. Horwill, in " Proportional Representation," however, says as follows:—

> In 1900 political life in Belgium was comparatively simple and there were two great political parties, the Liberals and the Catholic Conservatives, the one pursued modern democratic tendencies while the other was stoutly conservative. Belgium adopted the d'Hondt system of P.R. 1900. Under this system the different parties submit lists of their candidates. In 1922, after twenty years of P.R. development, although the great parties submitted lists in all districts, no fewer than forty-five

different parties and groups were formed among the electors for the election of 96 members. The members elected consisted of ten groups as follows:—Roman Catholics, 32; Anti-revolutionary Party, 16; Christian Historic, 11; Liberty League, 10; Social Democrats, 20; Revolutionary Socialists, 2; and Radical Party, 5. Majority party government became difficult enough after this election, but the elections of April, 1925 made it impossible. In this election the whole Chamber had to seek re-election. The results, after adjustments, were:—Socialists, 78; Catholics, 78; Liberals, 23; Front Party, 6; Communists, 2. The difficulty of forming a Government was now apparent. Two months have now passed since the Belgium Parliament met, and still it has no responsible Government. M. Vandervelde, the Socialist deputy, was the first to try to form a Cabinet. He failed. M. Van de Vyvere, a Catholic deputy, hit upon Pelham's idea of a ministry of all talents. He said: "Mine will be an administrative Government from which party politics will be excluded." The Catholics supported him, but the others combined and prevented his Cabinet lasting more than ten days. M. Max then tried his hand at Cabinet forming, and he failed. At the time of writing (June 17) Viscount Poullet, a Liberal deputy, is attempting the difficult task, but so far has not succeeded.

So it appears that the system has not proved an unqualified success in that country.

With regard to Germany, in which proportional representation was employed prior to the inauguration of the Hitler regime, Dr. Finer, who is Doctor of Science of the University of London, says as follows:—

> The German Republic began with the most fervent doctrinaire belief in the virtue of Proportional Representation. By 1932, after eleven elections, all but the old men with safe seats in the Reichstag demanded either its abolition or reforms detracting from its much-vaunted accuracy of representation. Hitler's abolition of other parties was one consequence of popular resentment easily inflammable against the inepitude of a Reichstag composed of thirty parties. And there were thirty parties because owing to P.R. each was entrenched in its own fortified "Quota" dug-out.

This is rather interesting to point out that both Mr. Good and Mr. Hooper, I think, said that they did not have proportional representation in Germany—at least, that is what I understood them to say. I have read from Williams, one of the leading proponents of P.R. in Great Britain, giving you what he said.

Sir John Fischer Williams, however, takes a rather different view of the matter. I quote from the report of the Proportional Representation Society, May, 1932, to April, 1933, in which Mr. Williams says:—

> It is the more necessary to examine the circumstances leading to the fall of parliamentary government in Germany because Proportional Representation was in use, and it has been asserted by many that the fall was due to the effects of P.R. The Proportional system was not of the British Type; it was different from the single transferable vote, with the free expression of choices which the latter affords. The German system was very rigid in form. The elector could vote only for a party as such: Each party was given a number. The elector voted for, say List No. 1, or List No. 5, or some other individual list; he could not vary names on the list or the order in which they appeared.
>
> The constituencies in which P.R. operated were much larger than is proposed in Great Britain, so that a constituency of average size (5,200 square miles) would be as large as Kent, Surrey, Sussex and Hampshire all rolled into one. This fact, coupled with the impersonal method of

voting was said to disassociate the elector too much from the representatives of his constituency and to diminish his feeling of personally playing his part in the machinery of self government.

It may be interesting to note here that Sir John Fischer Williams suggests that the multi-member constituencies were too large, that a constituency of average size was 5,200 square miles in area.

In this connection I took the opportunity of getting some information from the chief surveyor of the Dominion of Canada, and I obtained the following areas—rather interesting information in regard to the size of constituencies throughout Canada. Apparently that is an important point in the minds even of proponents of P.R. I do not go to British Columbia, because constituencies there, I believe, are all very large, with the exception of the city constituencies.

I have made inquiries as to the area of certain average constituencies in the various provinces of Canada with the following results:—

	Square Miles
Ontario—	
Frontenac-Addington	2,520
Lanark	1,240
Leeds	920
Grenville-Dundas	890
Carleton	820
Russell	565
Nova Scotia—	
Cumberland	1,690
Digby-Annapolis-Kings	2,875
Shelburne-Yarmouth-Clare	2,340
Queens-Lunenburg	2,430
Colchester-Hants	2,675
Pictou	1,130
Saskatchewan—	
Lake Centre	6,230
Weyburn	6,680
Assiniboia	5,700
Qu'Appelle	4,440
Yorkton	4,610
Melville	5,120
Alberta—	
MacLeod	9,140
Lethbridge	4,740
Medicine Hat	13,380
Acadia	10,390
Camrose	5,300
Battle River	6,620

Now, you will notice in the case of some of the Ontario constituencies that they are reasonably small. With regard to the Saskatchewan constituencies, the ones mentioned above are among the smallest in the province.

I have some quotations I should like to read from well known authorities upon the subject of P.R. in Germany. The first is " The Governments of Europe " by Munro, and with particular reference to Germany is as follows:—

Germany—

> The May election of 1924 left the German political situation in a state of very unstable equilibrium. The extremists were too strong to let the middle groups control. On the other hand they were not willing

to help maintain a coalition except at a price which the Social Democrats were unwilling to pay. It soon became apparent, therefore, that another appeal to the country must take place, and in December, 1924, a new election was held. The result of this election did not help matters much, for although the extreme Right and the extreme Left both lost somewhat, the latter especially, it was not possible to form a middle coalition which could be certain of a majority in the Reichstag..... Between 1919 and the early part of 1925 Germany had no fewer than eleven ministries.

Horwill on "Proportional Representation" says as follows at page 41:—

The application of P.R. to the German elections of 1924 showed the tendency towards the multiplication of groups which this electoral "reform" induces. The results of the elections were:—

	Number of Votes	Number of Members
Social Democrats	7,859,433	131
Nationalists	6,180,281	103
Centre	4,117,481	69
People's Party	3,046,493	51
Communists	2,698,956	45
Democrats	1,915,187	32
Bavarian People's Party	1,120,752	19
Bavarian Peasant League	999,703	17
Fascists	901,601	14
Land League	498,003	8
Hanoverians	262,569	4

In addition to the above there were no less than thirteen "freak" parties formed, which submitted separate candidates and which, among them, polled 700,000 votes for their candidates. None of the candidates secured a seat, though some were only a few votes below the next winning candidate.

Considering the very short time during which P.R. has operated, the formation of these parties shows that P.R. induces a tendency to split parties irrespective of other conditions.

I will quote from Mr. John H. Humphreys in view of the fact that it has been said that Germany was not under the P.R. system when the dictatorship was imposed upon the country:—

> The recent Germany general election was held under a system of proportional representation, and many, content with a single explanation of the present difficulties in Germany, have attributed them to the method of election.
>
> It may be useful, therefore, to compare the German election results with what might have happened had the British system been in force . . .

And may I say that that is one of the facts that we have discovered in reading proportional representation literature: we are confronted all the time with what might have happened under a different set of circumstances. I think we are, perhaps, more bound to examine what did happen than what might have happened.

> . . . to note the nature of the reforms contemplated in the electoral law of Germany, to examine some of the conditions on which the future of representative government in Germany may depend.
>
> First, as to the recent election; the Hitler party polled 37 per cent of the votes; it was easily the largest party. Under the British system election the Nazis would *almost certainly* have had an overwhelming majority of seats. Hitler's party would have been entitled to impose its

will practically unchecked upon the rest of the nation. The possibility of such complete control gives rise to the gravest fears among large numbers, probably among the majority, in Germany; it creates serious distrust throughout the west of Europe . . .

In the light of subsequent events this is interesting reading.

It would, therefore, seem to be a necessary condition of government in Germany that those parties who are in favour of free institutions should co-operate to the fullest extent possible to ensure the formation and maintenance of a government . . .

In the government of the Reich, however, there were many difficulties and many changes in the cabinet, and these difficulties, it should be noted, were due to a failure to secure the necessary acceptance of responsibility by, and an adequate co-operation between, political parties.

If a multi-member constituency of 5,200 square miles in area in Germany was "too large," then I think it may be taken for granted that since the area of the average single-member constituency in Canada at the present time is as large as above stated, it would be very impracticable to combine from five to seven or even three of them, and that is the minimum number suggested, with a view to setting up multi-member constituencies and conducting elections under the Proportional Representation system in this country.

I have already remarked that, although Proportional Representation was used for the first Parliamentary election in Ireland, it was abolished almost immediately after the first Irish Parliament met.

This is a rather interesting new comment upon that election by Sir Charles Nacnaghton, one of the British members. He said:—

I had thought it would really give a chance to the independent man of ability and character . . . to get elected under the system of P.R. I am convinced from the experience of the elections that the reverse is true."

(British Hansard May 2, 1924.)

Mr. Horwell informs us also that Proportional Representation was adopted in Italy in 1919—that in 1913 six parties had elected representatives to Parliament, the membership being respectively 318, 77, 70, 16, 24 and 3. As a result of the first Proportional Representation election, seven parties elected representatives, the respective membership being 156, 132, 101, 80, 16, 15 and 8, and he observes that no party now had a clear majority.

I believe, sir, it was also stated in the committee that Italy did not have P.R.

Sir John Fischer Williams in writing in 1921 said:—

In 1919 Italy adopted a thorough-going system of Proportional Representation for the Chamber of Deputies—A system of great interest to the political world and one for which its supporters may claim that it represents the results of the gathered political experience of the last twenty years.

Mr. Horwell says of the situation in Italy after the election of 1919 as follows:—

No party now had a majority. P.R. destroyed the hope of majority government and stimulated minority conflicts to such a degree that ultimately physical force minorities assumed dictatorship. The fascists then used P.R. to stabilize minority dictatorship: The law of November 18, 1923, turned the whole country into one constituency divided into fifteen districts, and it permitted a single party which obtained 25 per cent of the votes cast to appropriate two-thirds the seats on the Chamber.

This indicates the great social dangers which P.R. stimulates. It shows that minorities can not only prevent majority rule, but that it can enforce minority representation.

Mr. MacNicol: You might also add that some witnesses before the committee said that France had not had P.R.

Witness: Again Mr. Horwell says:—

P. R. emphasizes and mutiplies these causes of group formation. The French Chamber adopted P.R. in 1919. In the May elections, 1924, there were, in Paris alone, 42 lists containing 568 candidates, although there were only 56 to be elected. For the whole country there were 2,500 candidates for 626 vacancies. This tendency towards group formation, expressed in so short a time, has caused French politicians to move the abolition of the P. R. electoral method and the French Senate on August 14, 1924, voted the restoration of the single-membered constituency method of election.

While it may be unreasonable to attribute the fact that Democratic Government gave place to dictatorship in both Germany and Italy, solely to the further fact that both of these countries were using the Proportional Representation system of conducting elections, yet it is indisputable that the number of parties seeking representation had increased since the system came into force and that it had become impossible to form a Government that could command a majority in the House, and that as a result dictatorships were imposed upon both countries.

On two occasions Greece employed Proportional Representation. In 1926 a coalition government was formed after a Proportional Representation election. Proportional Representation was abolished in 1928, reintroduced in 1932 and in 1933 abolished again.

I am going to quote again from The Proportional Representation Society pamphlet No. 74, published by the British Proportional Representation Society under the heading "The Parliamentary Government and Proportional Representation."

The Government of Tasmania also introduced a Bill reducing the membership of the Legislatures, and proposing the adoption, on the other hand, of single-member electorates. This Bill, although introduced by the Government, was defeated, and Tasmania, we are glad to report, will retain the system of proportional representation which it has used for many years.

On two occasions P.R. has been used in Greece. It produced a representative chamber in 1926, and a Coalition Government was formed with M. Zaimis as Prime Minister, a Government that marked the passing of Greece from dictatorship to a parliamentary régime. P.R. was abolished by decree by M. Venizelos on his return to politics in 1928, and the abolition of the system gave his party a large majority at the ensuing election. It was re-introduced in 1932 to prevent the Royalists obtaining a majority of seats on a minority of votes; it was abolished prior to the election, March, 1933.

Bulgaria also adopted Proportional Representation at one time, but later abolished it.

New South Wales held three elections under Proportional Representation and then abolished it, and introduced the alternative vote.

As I have already stated, the Saskatchewan and British Columbia municipalities that adopted the system have all abolished it.

Tasmania has continued it, but at the same time we are informed that the Government of Tasmania introduced a bill a few years ago reducing the mem-

bership of the legislature and proposing the adoption of single-member constituencies, which, of course, would mean the abolition of Proportional Representation. The bill, however, was defeated. Most of my quotations come from proportional representation pamphlets. This is from pamphlet 74.

In this connection I would like to quote from the returns of the chief electoral officer of Tasmania.

TASMANIA

The Report on the General Election of January 23, 1913, by the Chief Electoral Officer

> Complaints, however, are common that electors do not understand the various operations of the scrutiny. The principle of the quota is understood by most; but the rules for the transfer of votes, and particularly of surplus votes, are not generally understood, and electors are not satisfied to be told that they need not concern themselves with the minutiae of the system. It is not easy to gauge whether the public is becoming more familiar with the rules; but there is still much greater dissatisfaction with the intricacies of the system than might have been expected after three elections. That the complications of the system are an accepted subject for joking in all circles is a not unreliable indication of the public attitude.
>
> Next, it is alleged that the transferable vote has failed to reflect the wishes of the electors in the choice of candidates. This matter is dealt with by the London *Times* of the 19th March, 1914, in an article on the last election, from which we quote the following paragraphs:—
>
> > While the electoral system has given exact representation of parties, it has in the choice of individual candidates failed in a serious degree to reflect the wishes of the electors. At the recent election four of the old members were rejected, to the astonishment of both supporters and opponents. They were all contesting electorates which returned three of each party, and were rejected in favour of other candidates of their own party. Two of these cases were particularly glaring. The rejected candidates were trusted members of the party, respected by their opponents, and by general consent superior in character and ability to at least one of their successful competitors of the same party. If the party vote in the electorate had been called upon to decide between the two, there is not a shadow of doubt that the rejected candidate would have won triumphantly. Yet in the general election he was beaten easily, in one case by two to one. No other reason outside of the working of the Electoral Act has been suggested for this result.

I would like to direct your attention to a statement made by the chief electoral officer in Tasmania with regard to the relative merits of the party system and of the Hare system—the single transferable vote. You may remember that the P.R. representatives in Great Britain said, in speaking of the situation in Germany and Italy—they attributed it to the fact that they used the list system instead of the single transferable vote system. This gentleman says:—

> The single transferable vote, however, is not the only means of obtaining proportional representation. It is little used outside English-speaking countries, and one country at least which has tried it has abandoned it (Transvaal, for municipal elections). Nearly all the countries which have proportional representation use the party-list

system in one or other of its many forms. *The party-list system is free from many of the defects which Tasmania has found in the transferable vote;* but in its turn, it has difficulties which do not occur with the transferable vote. It is not necessary to discuss these difficulties here, or to compare the merits of the systems; but in the Appendix (PP. 20-24) we have printed some particulars of the system proposed in France, and of a further improvement of it—the system of the uniform quota.

It would be premature for us to discuss whether a party-list system should be introduced in Tasmania. We may, however, point out that the party-list system is designed for the use of electors who wish to vote for parties rather than for competing individual candidates; and it is, accordingly, not suitable for a country in which electors do not wish to vote in this way. Table XVI shows the proportion of electors who voted only for one party at the late election. This proportion varied from 87·3 per cent in Wilmot (excluding the electors who gave their first choices to the independent candidate) to 92·7 per cent in Bass, and on the average was 90·4 per cent. *These figures, we think, are sufficient to show that the preliminary condition for using a party-list system is present in Tasmania.*

I would point out that in a previous part of this Proportional Representation Review much has been made of the advance of proportional representation in central Europe, and particularly in post war states.

With regard to the Post War States that adopted Proportional Representation, including Austria, Poland, Jugo-Slavia, Czecho-Slovakia, Estonia, Latvia and Lithuania, perhaps it would be just as well to accept the testimony of the British Proportional Representation Society. In Proportional Representation pamphlet No. 76, (which I quote) it is admitted that of all the Post War States that adopted Proportional Representation only one, Czecho-Slovakia, has worked the Parliamentary system with success.

I want to quote the word used in that pamphlet. This is P.R. pamphlet No. 76:—

After the war, many other countries in Europe, and particularly the post-war States, nearly all with little experience of parliamentary government, adopted democratic constitutions of an advanced type, including wide extensions of the franchise, the referendum, proportional representation, and so on. Even in favourable circumstances, the new parliamentary systems could hardly have been expected to work smoothly. But the circumstances were unfavourable. Post-war difficulties, economic and other, created the gravest unrest; toleration, the essence of a parliamentary system, was absent. Escape was sought through the rejection of parliamentary government and the adoption of dictatorships and one-party States, as in Russia, Italy and Germany. In other countries parliamentary forms have been preserved, but elections are not free and the representation of non-government parties is limited or even prohibited. *The only new State which has worked the parliamentary system with considerable success is Czecho-Slovakia, and here proportional representation is in force.* In Czecho-Slovakia, parties have realized more fully the nature of parliamentary government under a many-party system, and have shown a greater willingness to work with each other. In the field of government, the struggle to-day is between the dictatorial conception of a totalitarian state and the idea of a nation governed by a freely-elected Parliament. There can be no doubt that in the end the spirit of

freedom will triumph, and that in the perfecting of parliamentary institutions that reform for which our Society stands, the just representation of all, will find an assured place.

I will now briefly examine some of the objections to the single-member system and the claims made for Proportional Representation:—

The advocates of P.R. say that

(*a*) The rule of the majority is not assured by the single-member system.

This is undoubtedly the case quite frequently. On the other hand, under the present system, it is usually the case that the party with the largest support really represents the will of the country for the time being.

(*b*) It is alleged that the present system lends itself to what Messrs. Hoag and Hallett call "the Balance of Power Evil."

They enlarge upon the statement by pointing out that during an election the two largest parties may be comparatively equal in strength and that a small minority by bargaining with one or other of the parties may really be the deciding factor. While it is possible that such an event might happen, it is quite sure that in a Parliament composed of two major parties of almost equal strength, neither of them having a clear majority, the governing party could be very much hampered by the actions of a small party, which could throw its weight to one side or the other at will and thus possess a real balance of power which would in such case be exactly what Messrs. Hoag and Hallett described viz: "A Balance of Power Evil."

(*c*) It is also claimed that the single-member district system of electing representatives is fraught with grave danger to the very foundations of constitutional democracy.

The answer to this objection will be found in the cases of Germany and Italy.

In my opinion the other reasons given by the advocates of Proportional Representation for the abolition of the single-member constituency are not well founded.

Of all the claims that are made by the advocates of Proportional Representation, there are in my mind only two that have been substantiated, they are—

(1) That under their system of elections minorities secure just representation.

(2) That the Gerrymander is no longer a useful weapon in the hands of the governing party, provided that electoral districts are made large enough.

But the Gerrymander may be eliminated by other means—as by having changes in boundaries of electoral districts effected by an independent commission.

With regard to other claims made by advocates of Proportional Representation to the effect that—

(*a*) constituencies are unanimous under P.R.,
(*b*) incentives to direct action are reduced to a minimum,
(*c*) P.R. is a check to machine rule,
(*d*) the element of fraud is reduced materially under P.R.

I think that the most that can be said in favour of these contentions is that no evidence has been produced to substantiate them and that without that evidence one would be rather inclined to conclude to the contrary.

With regard to further claims:—

(*a*) that P.R. with a single transferable vote is a sensitive and accurate instrument in measuring changes in the popular will;

(*b*) that a better feeling is engendered in election campaigns;

(*c*) that Proportional Representation makes it possible to call on the best minds of all parties for leadership.

We might at least say that they are not proven.

There is yet one other claim made and it is, that all elements will be willing to co-operate if they are fairly represented, and that, it is said, will be the result if the method of election is Proportional Representation with a single transferable vote.

It would appear that the story of the 1926 elections in Belgium, as told by Mr. Horwell, clearly demonstrates that such is not inevitably the case.

Am I taking up too much of your time?

Mr. MacNicol: You are doing exceptionally well, sir.

Mr. Factor: Please continue. You are very interesting.

Witness:

THE ALTERNATIVE VOTE

Messrs. Hoag and Hallett say:—

> The alternative vote has been devised to make it certain that in single-member constituencies no candidate can secure election unless he has behind him the support, if not of the majority of voters in a constituency, at least of a greater number than under the present system elects a member where there are more than two candidates.

The system of voting has been described as an improvement upon the second ballot system of voting under which, in the case of an election in which one member was to be elected and more than two candidates were offering themselves for election, the candidate with the lowest votes was eliminated and another election held, and the process continued until one candidate was found to have a clear majority of the votes cast.

The same result is obtained under the system of alternative voting, but the member is elected as the result of one election only. As in the Proportional Representation system, the elector marks his preferences 1, 2, 3, etc. If no candidate has a clear majority the candidate with the lowest votes is dropped and his votes distributed, and this process continued until one candidate has a clear majority. By this system, the candidate who is elected is certainly elected by a majority of the voters, but it does not secure representation for minorities.

There are several systems employed in computing the vote, even under the alternative vote system, but the one most usually employed is the one above mentioned. It is used in the Provinces of Manitoba and Alberta for single-member constituencies. I give the result of the elections in Alberta in 1926 and in 1930, and in Australia in 1933, all of them under the system of alternative voting.

I have a few extracts on the alternative vote together with some statistics covering the Alberta situation. May I put them on the record?

The Chairman: Yes, I think it would be well.

Witness: I will put in these statements.

FROM P.R. PAMPHLET NO. 67 OF THE PROPORTIONAL REPRESENTATION SOCIETY

The Second Ballot, The Alternative Vote and Proportional Representation

(An examination of their working and political effects)

Moreover, if the purpose of the alternative vote is to secure a fully representative House of Commons, such experience of the alternative vote as is available shows how far short it may fall of attaining its purpose. The system is in force in Australia, and in some provinces of Canada. In Alberta a proportional system applies in the towns of Calgary and Edmonton, returning five members each, and the alternative vote is in force in the rest of the province, which is divided for the purpose into 50 single-member constituencies. In the last general election held in Alberta, the result in these 50 single-member constituencies was very unrepresentative. The figures were: —

ALBERTA GENERAL ELECTION, 1926

(Excluding Calgary and Edmonton)

Party	Votes	Seats
United Farmers' Association..	68,921	42
Liberal..	36,693	5
Conservative..	26,197	0
Labour..	5,183	3
Liberal Progressive..	252	0

TAKEN FROM PROPORTIONAL REPRESENTATION REVIEW OF OCTOBER, 1930

The Alternative Vote in the Country Districts

The same form of transferable ballot as that used for P.R. elections was used throughout the province. Except in Calgary and Edmonton, however, it could do no more than give a true majority choice without minority representation because each district elected only one member. As applied in such districts, the single transferable vote or Hare system is usually called the alternative vote.

This system, though it has obvious advantages over the ordinary plurality plan, falls far short of giving just representation. This will be evident from the following table. Whereas in the P.R. elections of Calgary and Edmonton each party elected a number of members within a fraction of its exact share, there was no such correspondence in the country districts.

ALBERTA LEGISLATIVE ASSEMBLY ELECTION

(Contested Seats Outside Calgary and Edmonton)

Party	First Choice Votes	Members Elected	Members in Proportion to Votes
U.F.A...	70,957	34	24
Liberal..	34,187	8	11
Independent..	23,832	3	8
Conservative	7,481	0	2
Labour..	6,156	2	2
Totals..	142,613	47	47

Opposition leaders complain that the United Farmers take proportional representation for themselves and their Labour allies in the large cities, where they are in a minority, but fail to grant it to others in the country, where they are in a majority. Last year's convention of the U.F.A. called upon the Government to apply P.R. more generally if it seemed feasible to do so, but when a reapportionment of the province was made in preparation for this election no steps in that direction were taken.

I will now give you my conclusions.

As a result of my study of the subject, which I can definitely state has been made without prejudice, I have come to the conclusion that, while much may be said in favour of Proportional Representation, it would be inadvisable to adopt the system in Canada without at least further investigation. I base my conclusions upon the following facts:—

(*a*) Even a three member constituency throughout Canada, at any rate outside of the big cities, would be much too large.

(*b*) Cost of the campaign would be too great. Printing, and publications, etc., hire of halls, length of time required to campaign throughout the constituency.

(*c*) Difficulty of candidates becoming known would be almost insuperable, there would be lack of the personal touch between the member and his constituents.

(*d*) The elected member being one of three or five or seven in a constituency could not feel that he had a definite mandate as he does under existing circumstances.

(*e*) While it is regrettable that there should be exaggerated majorities representation, it may be said, I think with truth, that errors in representation have a habit of balancing themselves. (Refer to J. H. Humphreys on the British election in 1935).

I would like to refer very briefly to a pamphlet published by John H. Humphreys on the general election of 1934 in Great Britain. I think this proves clearly what I said just now that areas in representation have a habit of balancing themselves. He said, speaking of the recent general election:—

> More than 800,000 Labour electors living in the south of England have no spokesmen in the House of Commons. On the other hand the eleven county divisions of Durham are held exclusively by Labour.
>
> In southern England, the 836,000 Labour voters secured no representation because they were spread fairly uniformly over the whole of the area. In the West Riding of Yorkshire the same number of Labour voters, fortunate in possessing local majorities in certain areas, won twenty-four seats. In London a smaller number of Labour voters, namely 760,000, won twenty-two seats.

So, you see it is quite clear that the areas in representation in one part of the country were balanced in another part of the country.

I am convinced, too, that under Proportional Representation there will be a tendency to multiply groups, and for splinter groups to break away from those groups. Personally, I do not regard this as disputable.

While it certainly cannot be said that it is invariably harmful to a country to have a small party exercising a certain amount of control over the largest parties, yet in the main I think it must be admitted that this is not in the best interests of good Government. There have been times no doubt when the balance of power has been used effectively and beneficially, but that does not alter the fact that the exercise of such power is really government by a minority instead of by the majority.

When giving evidence before the Committee on the 6th instant, I said that I had held it would be part of my duty to try and discover a more equitable method of representation than we have at the present time, but it should be a system the demerits of which do not outweigh its merits. I have come to the conclusion, while Proportional Representation has merits, yet the demerits outweigh them and for that reason I do not feel that I could recommend its adoption. I might also add that I am convinced that there is no popular demand for such a change in our electoral system at the present time.

With regard to the alternative vote, I think that in this case the merits are perhaps a little more marked than they are in the case of Proportional Representation. Advocates of Proportional Representation, however, regard the alternative vote as but a slight improvement upon the relative majority system and I am very much inclined to agree with them. It may be noted, however, that the system of voting is the same in both Proportional Representation and the alternative vote but the alternative vote applies to only single-member constituencies.

No doubt, the members of the committee noted the remarks made by Mr. Stewart he other day in which he referred to the possibility or probability of two parties combining, not necessarily in principle, but to defeat the third party, and later, singularly, in reading one of the P.R. pamphlets, No. 67, I came across this particular statement which I would like to read to the committee:—

> Sir Arthur Hardings described another aspect of the second ballot. One party, by making general arrangements with another party, can crush a third. In one year the Liberals of Belgium combined with the Conservatives to crush the Socialist party; two years later the Liberals swung round to an alliance with the Socialists.
>
> The second ballot, instead of creating better condition and giving a more trustworthy indication of public opinion, introduces a new element of uncertainty into a general election; the fortunes of a political party may largely depend upon whether at the second ballot other parties combine against it; the fortunes of a particular candidate may depend upon some wrecking action taken by the supporters of a defeated party. Finally, the elected member often finds himself in a difficult position; he is expected to represent not only the members of his own party, but also those whose support secured him victory at the second ballot and upon whose continued support he depends for re-election.

Finally, I would direct your attention to this fact, that P.R. was born in Great Britain in the year 1821, 110 years ago, and it has not been generally adopted in that country—it has been adopted only within the country for university elections. It was imposed upon other countries; it was imposed upon northern Ireland and the Irish Free State, and has been continued by the Irish Free State; it was imposed upon Malta, and it was imposed, in certain indirect elections, in India under the Government of India Bill.

The CHAIRMAN: Are there any questions which you wish to ask Mr. Butcher?

Mr. GLEN: He has left no room for questions.

Mr. MACNICOL: There is one item I might add to back up what Mr. Butcher has said regarding the difficulty in Tasmania. I was very glad to hear Mr. Butcher's report on what the chief electoral officer of Tasmania said. I have a letter here which is of a somewhat private nature and I do not think I should use the name, but this is from one of the members of the Belgian Senate—one of the leading members. His name is well known and he is recognized as one of the officials or officers of the Proportional Representation

Society. Here is what he says of the election in Belgium. The date of this letter is January 25, 1922. Here is what he says:—

> The last year has seen the P.R. applied in Belgium for the first time to the election of (1) Communal Councils, (2) Provincial Councils, (3) House of Parliament, (4) Senate. All the elections have been carried by what you call the "list system." That is to say by the Hare system more or less amended. It had been applied since 1900 to the House of Representatives, partly to the Senate and communal councils. Now it is practised all along the line and I do not think Belgium will ever go back to the majority system.
>
> But the Hare system even amended is not perfect and, for my part, I would prefer the single transferable vote, as all the "list systems" enforce too much party discipline and leave unrepresented a certain number of electors in each separate district.

So here we have the chief returning officer of Tasmania stating that they have operated under proportional representation and under the Hare system, and we have the chief electoral officer inferring that, perhaps, the list system would give better results, and here we have the proportional representation leader in the nation of Belgium which country has used the list system longer than any other, inferring that results have not been satisfactory, or too satisfactory, and he would recommend the Hare system which, presumably, is used in Tasmania.

I think Mr. Butcher deserves the commendation and thanks of members of this committee for the exhaustive inquiry he has made into this system of voting, and I think the government deserves credit for referring this matter to a parliamentary committee for the first time and taking the precaution it has to appoint an outstanding and unbiased investigator to advise the committee—that is, I think this present government has acted very wisely in appointing Mr. Butcher to advise this committee, because in all the other cases when proportional representation or alternative vote motions were referred to the committee of privileges and elections the committee itself groped blindly in the dark and did not have, as we have this time, someone whose business it was to make a thorough investigation, and I, for one, am very much pleased with Mr. Butcher's presentation.

Mr. FACTOR: The only thing left is for the government to adopt the recommendation.

WITNESS: If I might take up one more moment of your time, this little paper was given to every member of the committee, and I looked into it very carefully. It is based on the point system invented by Messrs. Eddy and Spidell. It is really a system of alternative voting, and while I certainly do not feel disposed to recommend it at all, still I believe it is far superior to any other form of alternative voting I have read about.

The CHAIRMAN: There is one other matter I should bring before the committee. I received a letter from Robert A. Walker of Moose Jaw a week or so ago enclosing a system of his that has been fairly well outlined in the evidence. The reason I am referring to this letter is that I understand it has been sent to different members of the committee, and I have been approached by members of the committee in connection with it. I do not think it is necessary for me to read it, although there are only three and a half pages of it; but it might be published as an appendix to this report.

Mr. MACNICOL: There is no harm in that. It will show that the committee has made a most exhaustive enquiry.

The CHAIRMAN: We have tried to get before the committee every particle of evidence that we could gather from any source.

Mr. GLEN: There is this factor to be considered that there would be no cross-examination, and it should be made clear in the minutes that this document was sent to the committee without opportunity for cross-examination.

(Discussion followed.)

Mr. MACNICOL: I would like to make a reference now to a statement of a member of the government of the Right Honourable Ramsay MacDonald, in the British House of Commons. This statement was made by Honourable Mr. Clynes:—

> We all know that proportional representation has many adherents on the ground of its apparent simplicity and attractiveness, but the view of the government is that it is inapplicable, that it is unsuitable within the English parliamentary system of government.

Mr. CAMERON: We have heard from a good many witnesses and have had many views expressed; I think the procedure which we adopted in dealing with the first matter before the committee would be the proper procedure to follow, and I am quite satisfied with the sub-committee we had on that occasion, and I am going to move that the same sub-committee be entrusted with considering this matter and bringing in a report on the question of proportional representation.

The CHAIRMAN: And on the alternative vote?

Mr. CAMERON: Yes.

Mr. MACNICOL: And that they should be advised by Mr. Butcher.

Motion carried.

(The committee adjourned to the call of the Chair.)

HOUSE OF COMMONS, ROOM 429,

May 22nd, 1936.

The Special Committee on Elections and Franchise Acts met at 11 a.m. Mr. Bothwell, the Cairman, presided.

The CHAIRMAN: Ladies and gentlemen, if you will come to order; I think we have a quorum now.

As you know, the meeting this morning is called for the express purpose of hearing the representations of Canadian citizens of Japanese origin, in British Columbia. We have four representatives here. I must admit, with apologies, that it is rather difficult for me to pronounce these names. I think that possibly Professor Hayakawa will " lead off." Is that the arrangement?

Professor HAYAKAWA: No. Miss Hyodo is going to lead off.

Would you like me to introduce them to you? This is Miss Hyodo, who is to lead off; this is Mr. Kobayashi, this is Dr. Banno, and my name is Hayakawa.

The CHAIRMAN: As each one comes forward to make a statement we would like to get a description, so it will go into the record, as to the position they hold.

Professor HAYAKAWA: That has all been incorporated in the submissions.

The CHAIRMAN: I think we can now proceed, if you will just come forward Miss Hyodo.

Miss A. HIDEKO HYODO, 6751 Victoria Drive, Vancouver, British Columbia, called.

WITNESS: Mr. Chairman and members of the committee, I wish to introduce myself as one of the delegates on behalf of the Japanese-Canadian Citizens League. We four members are here because of the following statement which we read in unrevised Hansard of February 20, 1936, at page 417:—

> Mr. MACKENZIE KING: —However, may I state immediately in this connection that there is on the Order Paper in the name of the Minister of Justice (Mr. Lapointe) a notice of motion reading as follows:—
>
> > That a special committee, the members thereof to be selected at a later date, be appointed to study the Dominion Elections Act, 1934, and amendments thereto and to suggest to the House such amendments to the said Act as they deem advisable, and, furthermore, that such committee shall study and make a report on the following subjects:—
>
> And so on.
>
> I have no doubt that the House will adopt that motion and that the Franchise Act will come before the special committee, and there would seem to me to be the proper time and place for my hon. friend to present his proposal that Orientals in British Columbia should be granted the franchise.

I was born in Vancouver and have had all my education there, beginning in Second Public School, then the South Vancouver High School, one year at the University of British Columbia and finally through the Provincial Normal School. Since my graduation I was appointed as teacher in an elementary school in the municipality of Richmond where I have been employed for almost 10 years. I am a member of the Richmond Teachers' Association and British Columbia Teachers' Federation. I am also teaching Sunday School

and have devoted a great deal of time to Young People's work in the United Church of Canada. I have found in my daily contact with my colleagues that very little is known of the disadvantages we Canadian-born Japanese must face. For that reason and also for the fact that the people in the churches, who appeal strongly for World Brotherhood and desire as much for World Friendship, I was convinced that this was the best place where we, as Canadians in every respect, should give whatever contributions of which we were capable—hence my efforts in Young People's work.

We have come to plead the cause for the Canadian-born Japanese who are disqualified at the present time, not only from exercising the franchise but also by this disqualification, are restricted from the enjoyment of certain privileges and also from entering certain lines of work. We feel that the present provincial disqualification of Japanese is not governed by the British principles of fair play and our reasons are stated in detail on page 3 and 4 in the brief which we have had prepared to state our case and which, we hope, you gentlemen will find some time to peruse.

In making my first appearance before your committee, I shall endeavour to bring to your attention, a very brief history of the Japanese in British Columbia, their population and what kind of people they are.

When British Columbia entered into the Union of the Provinces in 1871, there existed no provisions in the legislation which excluded the Orientals from the franchise. At that time and until 1885 there were no Japanese in the province, but there was a small number of Chinese of the labouring class—uneducated and speaking little or no English. They were by nature, because of their lack of education and also because of their very low social order, totally unfitted to discharge the duties of citizenship. In the year 1875 therefore it was passed that the names of the Chinese and Indians on the voters' list, should be struck out, presumably as a large number of Chinese names appeared on the list in 1874.

The first period of Japanese immigration covers from 1884 to 1900. Not until 1895 was the exclusion made to include Japanese. At this time there were approximately 1,500 Japanese in the province. In the second period, 1901 to 1907, the number of Japanese immigrants is perceptible. The latter part of this period also witnessed the arrival of Japanese women to Canada. So that it was only after 1908 that there were any appreciable number of Canadian-born Japanese. It is to be noted also in this second period that the Japanese immigrants were not of the lowest strata of their country as in the case of many other immigrants. By far, the greater majority of the Japanese came for the specific purpose of earning a better livelihood by working. During the boom years of Japanese immigration, Japan had not developed industrially to any great extent, so that the majority of the people were engaged in farming, fishing or in other forms of food production. It was very difficult to make a comfortable living and many especially the younger men, as a result were very weary of their restricted life in Japan and came to the new country seeking for great adventures and better opportunities. After 1905, a new and better class of immigrants came from Japan—students, merchants, and younger sons of nobility now composed the personnel of the groups. It was in this period that the Japanese Canadian Society was founded about 25 years ago. Also in this period (1906) Tommey Homma, a naturalized Canadian of Japanese birth, highly educated, claimed his right to vote. Although he took the case to the courts, he was finally defeated in London. The loss of this case determined the course of action for naturalized Japanese Canadians for the next 25 years. It was felt that without grounds to offer other than those presented by Tommey Homma, there was no point in reviving the appeal. Therefore with the intentions of presenting these new grounds, the Japanese in British Columbia have made every endeavour to prepare their children for citizenship in Canada.

[Miss A. Hideko Hyodo.]

In regard to the population of Japanese in British Columbia, contrary to popular opinion that it is increasing in great numbers, it is not known that this number is offset by a considerable number going to Japan for permanent residence. At the present time, however, there are in the province 19,960 Japanese. Of these 10,965 are Canadian-born and 3,500 are naturalized. However, there are only 1,210 Canadian-born of voting age so that the total number of Japanese who are restricted from the franchise is 4,710.

Concerning education, the endeavour of Japanese families, has been so far as possible, to give their children every possible educational advantage. I, as a school teacher, can testify that I know, of no class of parents who could be more eager to co-operate in the government and education of their children than the Japanese parents. Not only myself, but my colleagues will inform you that Japanese Students not only keep up with their companions in schoolwork but in the greater number of cases, even excel them. These students, born, reared and educated in Canadian schools have shown themselves, we believe, not only of understanding but excelling in various aspects of Canadian culture. They have now reached an age at which many of them have distinguished themselves in various fields or professional, business and social activities, common to the regular life of Canadians. Along scholastic lines one needs only to observe results published by the University and British Columbia Board of Education, to discover the standing of the Canadian-born Japanese. One Canadian born student was the leader of his class as a Junior at the Provincial University this spring, and three others were given awards and scholarships for proficiency. In the field of sport, where ever the may be, there is almost a certainty that some of our group will be on the teams, be it baseball, basketball, rugby or any other game. A British Columbia Rep. Team in rugby which travelled to California in 1934 included one of our number in its lineup. Another of our young boys held provincial junior tennis championship for some time. Canadian-born Japanese have very often been pointed out as good sports, especially in the case of the Asahi baseball team, which has a following composed of a large number of other Canadians. Along the lines of music, a goodly number have already distinguished themselves in their accomplishments and achievements. Just a few days before we left Vancouver where the British Columbia Musical Festival was in full swing we were all jubilant to have one of our number awarded first place in one of the classes of the competition. She was very highly commended by the adjudicator, who went so far as to state that her diction was even finer than that of all her competitors, adding that she was a credit to British Columbia. Just a fortnight previous, at the British Columbia Drama Festival another of our girls was given a special award for solo performance.

These achievements, just a few illustrations, show the adaptability of these young Canadians into the life of British Columbia, and that the process of Canadianization is extraordinarily complete, considering the wide gulf that exists between the first and second generations. Of the second generation interviewed, 79·25 % have stated definitely that they have no intention of going to Japan to live, in spite of the restrictions with which they are faced. They have lived in Canada all their lives and would simply be like fish out of water in Japan. Their ideals are towards being better Canadians, sharing common Canadian goals. These Canadian-born Japanese are not content merely to conform to Canadian life but are also eager to contribute Japanese forms of idealism that might enrich Canadian life. As one College student stated:—

> Ours is the heritage of a venerable 2000-year old dynasty, which claims a deep and satisfying philosophy, an artistic genius, cardinal virtues, of loyalty and filial piety and a samurai tradition. All these can be our golden gifts to the enrichment of Western culture.

In closing I should like to speak in my capacity as a Canadian school teacher, teaching in public schools of British Columbia and on the payroll of the Richmond School Board. I think I can confidently say that, comparing the ideals and subject matter which I have been trained to teach in the Provincial Normal School and the readiness with which the Canadian-born Japanese students understand and assimilate them, they will grow up into citizens of whom the people of this country need not at any time be ashamed. Deprived of their normal rights of citizenship, however, these young Canadians whom I teach, will be inevitably frustrated in the carrying out of those very ideals which I am paid to inculcate.

I thank you.

The CHAIRMAN: There may be some questions that will occur to members of the committee. but I think possibly it would be better if we were to hear all the members of the delegation first, as they may cover the questions you would like to ask at this time.

Mr. MINORU KOBAYASHI, called.

Mr. Chairman and gentlemen: I was born in the city of Vancouver, British Columbia, and I have lived in the province of British Columbia all my life. I have received junior and senior matriculation at Richmond and Magee High Schools respectively, situated in the vicinity of Vancouver, B.C.

In 1930 I was elected a member from the constituency of Richmond to the Older Boys Parliament of British Columbia and I had the honour of representing that constituency in the Legislative Chambers in the Parliament Buildings at Victoria, B.C. I might mention, by the way, that I was the only Japanese Canadian in the Tuxis group which elected me to office. You can imagine the pride with which I represented my fellow Canadians of that constituency. Needless to say I could not help dreaming, at that time, that some day I might represent a real constituency in the real political life of Canada.

Two years ago I joined the Japanese Agency of a well known Canadian Life Insurance Company in which I am at present employed.

Today, I wish to convey to you, the problems which are at hand to the Canadian youth of Japanese parentage as he stands upon the threshold of life. My colleagues will speak to you about the ideals and spiritual aspirations towards higher citizenship. I shall confine myself to the practical matters. In dealing with these matters, I would like you to understand not only the facts and figures but the human situation which underlies these facts and figures.

My two years in actual business has made me realize that whatever aspirations we Canadian citizens of Japanese origin may have, we cannot do anything without having first solved the "bread and butter" problem. I wish to point out the manner in the deprivation of the franchise affects our possibilities of making a livelihood. By this I do not mean mere sustenance of life, but reserve for mental, spiritual and social development. An opportunity to measure up to the standard of living as set by the other Canadians.

The lack of franchise not only deprives us of the right to vote at elections, but in many of the professions appearance on the voters' list is made a preliminary qualification to the exercise of those occupations. The use of the voters' list in this way is a means by which some professions debar Canadians of Japanese origin without naming them explicitly, that is to say without putting into their professional regulations any open statements of racial discrimination or prejudice. This is general in the Province of British Columbia of which we are residents and the result is that we Canadians of Japanese parentage are debarred from becoming:—

1. Elected to the Provincial Legislature.
2. Elected to Municipal office.

3. Elected as school trustees.
4. Selected for jury service.
5. Lawyers.
6. Druggists.
7. Hand Loggers.
8. Employed in the public service save as specialists.
9. Employed on public works.
10. Employed by any buyer of crown timber for logging such timber.

On this point, on which I speak from my own personal experience, I wish to tell you of a young man living in hopes of getting somewhere in life and how it feels to be automatically debarred, even before his carrer has begun, from so many lines of endeavour. I am sure that the honourable members of this committee are able to recall with a great deal of pleasure their boyhood dreams and secret ambitions. Just as you gentlemen did in your boyhood, I am, at this moment, hoping that some day I may be in a position to make my contribution to humanity and perhaps, to reap some of its rewards. If, however, you are told from the beginning that you cannot practise law, you cannot be a druggist, you cannot enter the civil service and that you can never hope to take active part in the political life of the nation to which you owe allegiance it is "taking the wind right out of your sails." It is not simply the shattering of dreams, a boy in such a position is not even permitted to have dreams, one finds some consolation living in "high hopes" however imaginary they may be, but to have no hope at all is most tragic. The pitiful result is that youth becomes dull, sullen, unenterprising—in short "beaten from the start," "the kick in life is gone."

I have a friend who is 19 years old, anxious to become a lawyer, he knows he cannot become a lawyer, as long as he remains in British Columbia and his parents are not in a position to send him to some distant place where he may be a lawyer, therefore, he is forced against his own will to seek some less enterprising line of endeavour. Under ordinary circumstances I feel that it is proper that he should be allowed to make his contribution to the life and work of Canada—the return for the education which he would receive here. This is only one of the many cases with which I am personally acquainted.

I realize that the present depression is universal and that unemployment has created a grave situation and I am also aware of the difficulty in obtaining employment under ordinary circumstances. It takes courage to face the present conditions and the Japanese Canadians are facing them with as much courage as the other Canadians. But in the case of the Japanese Canadian there is another obstacle which presents itself, that of racial prejudice. This requires greater courage to face yet in fields where equal opportunity is granted the Japanese Canadians are facing these obstacles courageously and in some cases successfully. My three colleagues are examples of this. Dr. Hayakawa is at present a professor of English at the University of Wisconsin, Miss Hyodo is a public school teacher at Steveston, B.C., and Dr. Banno is now practising dentistry in the city of Vancouver, B.C.

In addition to the obstacles of depression and racial prejudice there is still another obstacle which even courage cannot face. We are legally restricted from the exercise of certain professions and that is why we are compelled to beg for your assistance.

I have lived with other Canadians all my life and at school we were taught that the fundamental principle of fair play as practised by British people is to give the fellow a chance.

I submit, honourable gentlemen, for your consideration, whether or not the legal restrictions in the province of British Columbia as they exist to-day do give rise to the question of British fair play.

Dr. E. CHUTARO BANNO, called.

Mr. Chairman and honourable members, in introducing myself as a representative of the young Canadian citizens of Japanese origin, I wish to state that I am a dentist by occupation having graduated from a dental school in Oregon last spring. Immediately after graduation I passed the provincial examination board, and am at present trying to build up a practice of my own in Vancouver. I was born in Vancouver in 1908, of Japanese parents. Attended public schools and high school in that city along with Canadians of other races. I went to the University of British Columbia with the intention of pursuing medical studies, and graduated in 1931 as a Zoology Major and Bacteriology Minor. The fact that I had lost my father at the tender age of eight forced me to work my way through school. During summer vacations I worked at anything that I could find and for some years I was a bell-boy in summer hotels in the Rockies. With a B.A. to my credit, the fact that I could not attend a medical school, which came up to my estimation, without being too far away from my mother forced me to change my life plan and I began to study dentistry in the near-by state of Oregon. After four years there I obtained a degree of dentistry. That was in 1935. I passed the British Columbia board in June and after scraping up enough money to equip a modest office of my own, started to build my practice. My patients are cosmopolitan, a good many are Japanese naturally, others are Scandinavian and British.

Permit me to outline a short history of the organization, " The Japanese-Canadian Citizens' League," which is responsible for our appearance before you this morning. The organization consists of chapters scattered throughout the province, its membership consisting of Canadian citizens of Japanese parentage, over 18 years of age, which includes those that have attained the majority and those that should be starting to think seriously about the rights and duties of citizenship in a democratic Canadian society. The league came into existence on April 13 of this year with representatives from different chapters present, culmination of many years of effort among them, something they fondly believed was a step nearer the attainment of full citizenship with its obligations and privileges.

The Right Hon. the Prime Minister has raised the question in regard to the enfranchisement of the Japanese-Canadians, whether there was enough political awareness and social consciousness among the Japanese-Canadians to warrant giving them a franchise. One member of the parliament has gone further, and stated definitely, four or five times in the course of a single debate, that the Japanese-Canadians were not concerned about the franchise.

The point is worth raising. If it is true that a minority without a franchise is completely indifferent to its political rights there is no excuse for pushing a franchise at them. Even if it can be shown that the deprivation is unjust legally or technically, there is no real injustice done so long as that group doesn't care. The question is, therefore, are the Japanese-Canadians, that is to say, the British subjects and Canadian citizens of Japanese parentage, so indifferent to their political obligations?

An account of ourselves, and how we happen to be here, will give the hon. members of this committee an answer to this question. My colleagues here and I have been sent here by the Japanese-Canadian Citizens' League of British Columbia to demonstrate to you in word and flesh, that the Canadian-born Japanese does take his citizenship seriously.

I should like to quote parts of the constitution of the Vancouver chapter of the Japanese-Canadian citizens' League relevant to this presentation.

> (Preamble.) We, the Canadian citizens of Japanese origin, desiring by organized effort, to ameliorate ourselves and our posterity to the highest standard of citizenship and to foster good understanding between Japanese and Canadians, do hereby associate ourselves in the Japanese-Canadian Citizens' League and pledge ourselves to be governed by the following constitution.

[Dr. E. Chutaro Banno.]

I proceed to quote from article two:—

The objects of this organization shall be:—

(1) To foster good citizenship among the Canadians of Japanese origin.
(2) To protect and further the general welfare of Canadian citizens of Japanese origin.
(3) To promote good will between Canada and Japan.

The purpose of the organization is clearly set forth in the parts of the constitution which I have quoted. You will gather from them that it is an organization which came into being as a result of realization, on the part of these young people, that they are placed in a position that calls for improvement in the first place, in legal and political sense; and having realized that they were in such a position, in their own way, have made an attempt to be at least prepared to exercise intelligently the privileges of citizenship when they should be granted.

The league consists of chapters at Vancouver, Steveston, Victoria, Maple Ridge-Pitt Meadows, Mission City, New Westminster and Sunbury with a total membership of about 500, out of possibly 2,000 Canadian-born Japanese over 18 years of age in the entire province of British Columbia. The fact that 25 per cent of the total have enlisted within the folds of the Japanese-Canadian Citizens' League is a proof that they do realize that something must be done, about the unenviable position in which they find themselves.

I have said that the organization was a culmination of some years of effort. For some years in Vancouver we have had an organization called Japanese-Canadian Citizens' Association, with objects substantially similar. Then in the summer of 1934 members of the Japanese students' club of the University of British Columbia, consisting largely of Canadian born, decided that a survey should be conducted in order to obtain definite statistical material so that some definite policy could be formulated for the future of these young people, who were not, definitely, Japanese and for whom their native land had not yet made a provision within her lays that they were her citizens on equal terms with the native Canadians of other races. So these students went to their sociology and economics professors for advice in the methods of preparing the questionnaires and conducting the survey. An attempt was to be made to cover every Japanese household in the province, asking all Canadian-born Japanese questions of most personal nature about their religion, what they did for a living, how much money they made, the extent of their education, their social contacts, what they read and whom they wished to marry. These were to be supplemented by the study of local problems through personal interviews and group discussions. The students worked the scheme into definite shape and started a drive for necessary funds. They put over concerts, moving picture shows and skits, and solicited donations from different organizations. Finally the Canadian Japanese Association thought it was a good thing to do, so agreed to underwrite obligations. During the summer of 1935 six members of the Students' Club were selected for the field work, each of whom was assigned one of the six districts into which the province was arbitrarily divided. Of these six amateur sociologists who engaged in the research with all the earnestness of professional students of society, one had just earned a degree in commerce, one was a sophomore, three were mere freshmen in the College of Arts at University of British Columbia and one was a graduate of Waseda University in Tokyo. They were under the supervision of a man who had just graduated in architecture at the University of Alberta.

The results of the survey were made public in late October, 1935, a study of some 55 mimeographed pages, consisting mostly of statistical data, some of the findings of which were embodied in the brief presented.

The direct result of this survey was the realization that something must be done. The problem had a meaning to every Canadian-born Japanese in British Columbia; we realized the need of an organization that could express the opinion

of the entire group of these young people. So the Japanese-Canadian Citizens' Association in Vancouver gave way to the Japanese-Canadian Citizens' League embracing local chapters in the entire province. As I have previously stated, the membership has now reached 500, distributed among 7 chapters; and this we believe is a satisfactory proof that these young people are conscious of their problems as citizens.

In outlining the history of this organization in some detail I had two definite purposes in mind. Having read the minutes of the debates in the House of Commons that concerned the Japanese in British Columbia, I am desirous of correcting a few things that were said in so far as they concerned the Canadian citizens of Japanese origin.

First, the very fact that such an organization does exist is proof that we are not indifferent to our position. It is also proof that we realize that something must be done so that we may be able to serve Canada as her citizens, each with a sense of responsibility for her destiny. Far from being indifferent, we are very, very anxious about the matter.

Secondly, the fact that a group of young people are feeling so anxious about their lack of voting rights that they have raised the money and have sent their representatives all the way across the country to see you about it, is proof that they are being assimilated. I do not wish to bring in learned and technical definitions of the word " assimilation," but to our mind a spontaneous movement of this kind in itself is proof at least of a healthy psychological assimilation. My colleagues have already told you that the Canadian-born Japanese have shown the degree of assimilability in distinguishing themselves in the fields of scholastic, athletic, social and musical endeavours.

In conclusion I wish to leave the impression with you that a solution of this problem calls for efforts of a most serious kind both on our part and yours. It is a question which affects us vitally; and a fair solution will enable us to face our future with assurance and confidence, anxious to serve Canada with all that we are able to give. On the other hand it is also a serious Canadian problem. The correction of the present situation is a responsibility of the entire Canadian people. The problem will become increasingly serious as time goes on. The maintenance of the present condition will make us feel that we cannot be Canadians in the way we have been taught that we must be, and will force us to face the future with doubt and uncertainty; though I can assure you we shall continue to live in hope.

Thank you very much for your kind attention.

Witness retired.

Professor S. ICHIE HAYAKAWA, Basson Hall, University of Wisconsin, called.

Mr. Chairman and gentlemen, I shall start, as the others have done, by giving a short account of myself. I was born in Vancouver, B.C., of Japanese parentage. I was educated in the public schools of Calgary, Alberta, and Winnipeg, Manitoba. I received my B.A. degree from the University of Manitoba in 1927, and an M.A. from McGill University in Montreal in 1928, studying English literature and Philosophy. After another year at McGill I went to the University of Wisconsin at Madison, Wisconsin, as Fellow in English language and literature. In the following year I was appointed to the teaching staff of the University of Wisconsin; and for the past six years, therefore, I have been teaching to American students such subjects as English composition, prose style, Shakespeare, Chaucer, Byron, Keats, English metaphysical poetry, versification, and so on, the usual run of subjects taught by a young instructor in any Canadian or American University. I have contributed numerous articles to Canadian and American magazines and philological journals on literary subjects, and have had the honour of contributing some of my efforts towards the compilation of

the great Middle English Dictionary now being edited at the University of Michigan under that eminent American philologist, Thomas A. Knott. In January, 1935, I received a Ph.D. degree from the University of Wisconsin, and I am still on the teaching staff of that institution. I am now before you on temporary leave of absence.

In spite of several years in the United States, however, I return to Canada regularly in the summer; and try my best to keep in touch with Canadian affairs by reading such Canadian Journals as the Queens Quarterly, the Canadian Forum, the Dalhousie Review, and the University of Toronto Quarterly. My legal residence is in Montreal, however, and I retain my Canadian citizenship. Of course, the question may be asked why I concern myself with the plight of the Canadian citizen of Japanese parentage in British Columbia, when I am in Wisconsin, and away from the scene of distress. The reason is simple and obvious. I hope, as soon as it is possible, to return to permanent residence in Canada. I have always watched with greatest interest the Canadian political and social scene; and now that an opportunity has been offered me of being of service to Canada by presenting what I know of the situation in British Columbia, I am happy to respond at once, in spite of the real inconveniences I must undergo in leaving my job at the present time, when my students are preparing for final examinations.

You have had presented to you by my first colleague, Miss Hyodo, the very important statement of the differences between our position and that of our parents, who are naturalized Canadians and not born Canadians like ourselves. As she has pointed out, we are, for better or for worse, out-and-out Canadians, whether we like it or not. It happens, of course, that we do. I can illustrate this point further by my experience in the United States. I am pretty much at home in Wisconsin now; but there are occasions when differences arise between my American friends and myself. On such occasions, these differences arise not from the fact that I am Japanese but from the fact that my background is British. These differences are tenuous, perhaps, and difficult to lay one's finger on; but as you know from your own contact with Americans, there are such differences. If I have ever been regarded as a foreigner in Madison, Wisconsin, it has been because I am a Canadian and somewhat British in point of view and not because I am Japanese. I can give you an illustration of this. Just the other day I was discussing with a few intimate American friends the subject of Kagawa, the Japanese Christian mystic who is now touring the United States. I happened to make the statement, "Look, Bob, you do not understand the Oriental mind." Everybody burst out laughing; "Oh, yeah?" they said, "What do you know about the Oriental mind?" So it seems that we Canadian citizens of Japanese parentage cannot even pass as Orientals when we want to, at least among people who know us at all well.

The same thing can be illustrated in another way. Last summer I had the great pleasure of visiting Japan for the first time since babyhood. I cannot tell you now of the wonderful things I saw there; this is not the place. But the most important discovery I made was the fact that I am not spiritually Japanese. The Japanese people, so far as I could see in the daily life I witnessed, are fundamentally different from us in the fact that they believe in the authoritarian principle, whereas we—that is to say, you and I—are individualists. By this I mean that Japanese life is built on the principle of authority of parent over child, grandparent over parent, teacher over pupil, master over servant, elder over younger, and emperor over subject. The life of the occidental, on the other hand, is built upon the principle of individualism—a principle which, it appears to me, is implicit not only in the Christian doctrine of individual salvation but also in the classical philosophy upon which European civilization is built. It is a principle that assumes different manifestations, but it is the philosophical foundation of the democratic system of government, and is implicit

in the social and political thought of all Europeans of the present day (except in those curious reversions—the modern dictatorships). I found in Japan, however, that the very basis of their thinking is different from my own—that I am an individualist and therefore philosophically incapable of meeting Japanese thought on its own ground. We Canadian citizens of Japanese parentage are all alike in this respect—we have all been educated on a principle fundamentally different from that which underlies Japanese civilization. And when Miss Hyodo states that the situation of a Japanese in British Columbia is different from that which existed thirty years ago when the ruling against the Japanese franchise was confirmed, she is uttering, it seems to me, a profound truth.

My second colleague, Mr. Kobayashi has presented to you the difficulties that confront us when we come to the problem of making a living in British Columbia. In this connection, I beg to point out to the members of this committee the gravity of such restrictions, not only from the sufferer's point of view, but from that of any nation or civilization that practises such discriminations over a long period of time, on the basis of race or religion. Wherever different races have co-existed, as they now do in British Columbia, there must be from the very beginnings either complete equality in the eyes of the law, or else the situation is bound to develop ultimately into a caste system, in which one race is increasingly hemmed about with restrictions and prohibitions, so that all encouragement to enterprise or initiative is slowly crushed out of them, until they develop, as they have in India in the course of their many thousands of years of history, into that miserable condition of black apathy and hopeless despair which the so-called "untouchables" have endured for I know not how many centuries. You may feel that I am exaggerating the dangers—but how, gentlemen, do you suppose the caste system in India developed into its present triumph of traditional and vested cruelty if it did not begin from such small beginnings as the legal restrictions put upon conquered or minority races, depriving them of certain privileges by other races living in the same civilization. With every famine or financial depression, with every plague or disaster, the instinct for self-preservation in the more fortunate classes impels them to increase the prohibitions and restrictions upon the less fortunate, who are by this time in no position to defend themselves. The result is that over the course of many years, you ultimately get an entire race permanently and hopelessly embedded into such misery that it will be forever impossible to resuscitate their courage and enterprise. Again, I am conscious that you may feel that I am being needlessly alarmist. Again, I must reiterate that human history demonstrates such development to be a fact. But finally, I need only to go back to what Mr. Kobayashi has said to substantiate my statements. He has said, "Every boy dreams of some day becoming great. The Canadian citizen, surrounded by these restrictions upon his lines of future activity, is not even permitted to have dreams." The result, as he has told you, and I wish emphatically to state is that some poor lads in British Columbia to-day are beginning to say, "Aw, what's the use? We aren't given a chance." These lads are perhaps only the weaker ones among us. But when the next depression or panic is upon us and the people of British Columbia are in an uneasy frame of mind, you gentlemen who are familiar alike with the high craft of statesmanship and the wiles of popular demogoguery, as practised by your contemporaries, know that there are going to be some British Columbia vote-snatchers who do not hesitate to employ any tactics whatever, who are going to rise to popularity by proposing to debar us Canadian citizens of Japanese parentage not only from the professions from which we are already debarred, but also from other useful trades and occupations. Finally they will go so far as to suggest attending the same public schools as white children. You know that this is so—because as you know, this last proposal has seriously been made

in California, and in one community was actually put into force, although later repealed. Even the strongest of us will not be able to face such deprivations then. So long as one legal or political restriction remains on any statute book, federal or provincial, in the Dominion of Canada, which bases such restriction of citizenship on grounds of race or religion, there is danger that such tyrannies will be practised in times of national distress and crisis. Every serious advance made in the social history of the British peoples, the Magna Charta, the Bill of Rights, the Catholic Emancipation Act, the proposed system of proportional representation, has been made in order to make more certain the protection of the liberties and rights of minorities, so that nowhere under the British flag will there be any individual or group rendered incapable of social and political self-realization because of race or religion. We Canadians are justly proud that such iniquities as are now practised by the German government against the Jews would not be possible under our British system of government. We British subjects are proud to say with Robbie Burns, that "A man's a man for a' that," and we point out with pride the fact that in British nations, as Tennyson said, " Freedom slowly broadens down, from precedent to precedent." We come to you, therefore, not asking for your pity or commiseration. We come to you as British subjects and Canadian citizens, and we base our appeal not upon sentiment, but upon the traditional principles of British justice which we have been brought up to revere.

My third colleague, Dr. Banno, has, I think, sufficiently demonstrated the fact that we Canadian citizens of Japanese birth are fully aware of what it means to live in a democracy. The history of the activities of the Japanese-Canadian citizen demonstrates beyond question the fact that we understand the processes of democracy. We understood that before we can have a vote, it must be demonstrated that our standard of intelligence and cultural achievement must be equal to that of the general Canadian community. We understood too, that we must give evidence of our right to enfranchisement. So we did not come here simply to complain and whine. We have prepared for our coming by a complete survey of the facts. This survey, the important facts of which are summarized in the briefs before you, was prepared by a group of our people entirely on their own initiative and at their expense. It is a mature document of sociological research. I can speak of it freely, because I had nothing myself to do with its preparation; but I ask you, can you find a group of second-generation immigrants anywhere in this country that can show a better understanding of the way in which democracy operates, that can show evidences of an equal enterprise and initiative, that can give parallel examples of self-dependence and plain, old-fashioned, Canadian grit? And when you consider that the population we represent has an average age of about eleven years, and that its leaders are almost entirely not yet thirty years old—I doubt if you can find parallel instances even among the non-immigrant races in the country. Speaking now as one who does not live in British Columbia, I wonder if the general public of that province can afford to deny itself the co-operation of so much political intelligence as these promising young people are displaying?

Of course, there are certain practical questions which may be bothering you. You are wondering perhaps, just how large this Japanese-Canadian vote may be. After hearing some of the Pacific Coast alarmists talking about the rising tide of the Yellow Peril, you may have been somewhat amused to discover that the total number of Canadian-born Japanese of voting age at the present time is only 1,210. In twenty years time, the youngest Canadian-born Japanese baby will have arrived at voting age. At that time, even if all our present group remain alive and do not go to Japan, there will only be 10,965 Canadian-born Japanese voters. The actual number, of course, will be considerably less.

You may also wonder whether these people are likely to be victimized by politicians in the way that certain other immigrant groups are, so that the entire vote of the race may be commanded by a single " ward-boss " or political

chieftain, as has happened in many American cities where political corruption is rife. I think we may confidentially predict that such will not be the case with the Canadian citizens of Japanese parentage. The experience with American citizens of Japanese parentage in the States of Washington, Oregon and California, and in Hawaii and the Phillipines, both before and since their independence show wide divergences of political opinion among the Japanese, so that there is every evidence of the capacity of these people to think for themselves. There is no reason to believe that those in British Columbia will be any less independent than those under American rule.

By Mr. Heaps:

Q. From what you have just said do I infer that the Japanese have the vote there?—A. Yes, they do.

Q. Japanese born in the United States have the vote?—A. Yes. They are American citizens, and an American citizen cannot be discriminated against, with the exception of the negroes in the south.

Q. How about California?—A. In California the Japanese citizens are under certain restrictions with respect to the ownership of land. Unless they are born in the United States they cannot own land, but where they are born in the United States they can own land, they can vote or do anything like that.

WITNESS: You may also be wondering whether we are spokesmen of an exceptional and very small group among the Japanese of B.C., and whether or not the entire Japanese population is as much concerned about the franchise as we are. In answer to this, I should like to be able to show the list of contributors who have this trip possible. Hundreds of young boys and girls, some of them even children of grade-school age, have been sacrificing ice-cream sodas and movies, and contributing their quarters and fifty-cent pieces, in order that we might appear before you to secure them the rights for which they are hopefully preparing themselves. Our parent-generation has also been generous of their support. One Japanese-Canadian parent said to me last summer, when I was there investigating this problem, that he could die in peace in his children could have the franchise which he had been denied. I might state here incidentally that the children of Japanese-Canadian war veterans, and the children of those men who never came back after fighting with the Canadian forces in France, are also among those discriminated against. We can assure you in complete confidence that the entire Japanese population, both the first, second, and even the infant members of the third generation are anxiously awaiting the outcome of your committee's deliberations. Our parents, denied the full rights of citizenship themselves, have earnestly prepared us to play our parts. If there is any question in your minds whether or not we are a representative group of the Japanese-Canadians, we can only point out that like yourselves, we are perhaps a little better endowed with the gift of the gab than those whom we represent, and we are therefore as representative of the Canadian citizens who have sent us, as you are of the less articulate Canadian citizens who have sent you to Ottawa.

It is only in British Columbia that the condition we have been endeavouring to describe prevails. In the other provinces, we are able to vote, and to hold full citizenship rights. My brother in Montreal and my uncle there vote in every election, and my father used to vote regularly when we lived in Winnipeg. We are therefore confident that so far as the rest of the Dominion is concerned, our case will be listened to with sympathy. Even in British Columbia, our teachers and college professors and our friends of the United Church of Canada and the Anglican Church, as well as many other friendly organizations and individuals, have been more than encouraging in their attitude. And when now and then the perfervid defenders of British Columbia's sacred honour have pointed us out as the little yellow rats that are gnawing out the

vitals of provincial prosperity, these friends of ours have cheered us, and have inspired us to continue to have faith in democracy, even in the dark moments when democracy has sounded like a hollow sham in our ears. Even if our present appeal is denied, therefore, we shall stubbornly continue to maintain this faith, because that is the way in which we have been brought up. We shall continue to prepare ourselves for citizenship to contribute what we can, even if the fruits of our efforts are not to be gathered in our own time, but by our children, or our children's children.

By Hon. Mr. Stirling:

Q. Before he leaves the stand would Dr. Hayakawa tell us what the situation is in Australia, New Zealand and South Africa, if it exists there?—A. I do not believe it exists there. I am afraid I cannot answer you satisfactorily.

By Mr. MacNicol:

Q. Can you tell us what the situation is in Japan?—A. In Japan, the entire thing is there I believe.

Q. What I have reference to there is, can a foreigner qualify for citizenship privileges?—A. Yes, they are capable of becoming naturalized, and of exercising full citizenship rights; restricted, I believe, with respect to certain very high positions, but even these restrictions can be got around by Imperial order in cases of exceptional merit.

By Mr. Cameron:

Q. Can a foreigner be naturalized in Japan now, can he own property?—A. There is no property restriction that I know of. I am quite sure he could.

By Mr. Glenn:

Q. Is there not a property restriction in California?—A. Not where they are American born citizens.

Q. But the Japanese have not the right to own land?—A. I believe they have, but I believe it is the usual practice for the parents to put the title of the land in the name of their children born in America.

By Mr. Turgeon:

Q. You say there are no restrictions whatever on foreigners in Japan, with respect to their becoming citizens and exercising all the rights of citizenship including voting?—A. Yes.

Q. How long must the foreigner reside in Japan to qualify for these rights?—A. Five years.

Q. And after five years he votes like the rest at all elections?—A. Yes.

Q. And he may come out for election?—A. Yes.

By Mr. Heaps:

Q. May I ask if when you travel you travel on a Canadian passport?—A. Yes.

Q. You have every right except that of voting?—A. Yes, and that everywhere except in British Columbia.

Q. And the Japanese in British Columbia pay income tax, and all the other taxes?—A. Pardon?

Q. They have the right to pay income tax, and all other rights except voting?—A. Oh yes, they have that right.

By Mr. MacNicol:

Q. Dr. Hayakawa, do you, and do the three delegates with you speak Japanese?—A. With varying degrees of proficiency. I am the poorest at it; Miss Hyodo is the next poorest, and the other two handle it very well.

Q. You all speak English so fluently that if we did not see you face to face we would take you to be Englishmen. I understood one of the delegates to say that Japanese citizens either naturalized or unnaturalized, or British born, could not enter the profession of medicine?—A. They cannot enter medicine.

Q. And they cannot be lawyers?—A. They cannot be lawyers. You have to be on the voters' list.

By Mr. Turgeon:

Q. To be permitted to study medicine, you have to be on the voters' list?—A. It is not medicine, it is law. I think Dr. Banno can give you further information about that.

Hon. Mr. STIRLING: Page 15 of the brief covers that.

Mr. TURGEON: The difficulty is that we have not seen the brief.

Dr. BANNO: Canadian-Japanese are permitted to take up the professions of medicine and dentistry, but not pharmacy or law. The governing bodies of these professions have made it a requisite to membership in the profession that one has to be on the voters' list.

Mr. HEAPS: What you mean is that the trade union of the organization makes that restriction.

Dr. BANNO: That is right.

By Mr. Turgeon:

Q. It is a regulation of the union and not the law of the land. You are permitted to undertake your studies, however. I was asking purely for information. I was surprised when I heard the statement made that you could not enter into the practice of these professions. I thought you could, but if you cannot, as a member of the committee I would like to know why. I am inclined to think that if you cannot enter into the practice of either medicine or the law there is nothing whatever in the law to forbid you?—A. No, there is not, sir.

Mr. TURGEON: Your difficulty there is in the organization.

Mr. HEAPS: But the organization took advantage of a certain loop-hole in the law in British Columbia?

WITNESS: Quite so.

Mr. MACNICOL: I would like to ask one other question, Mr. Chairman. Reference was made to the carrying of a case requesting the right to vote for Japanese, either naturalized or British born, to the Supreme Court and I think to London.

The CHAIRMAN: To the Privy Council.

By Mr. MacNicol:

Q. What did the Supreme Court decide?

The CHAIRMAN: You mean the Privy Council?

Mr. MACNICOL: Yes, the Privy Council.

Mr. TURGEON: Against the applicant, according to Miss Hyodo.

Mr. HEAPS: What was the basis of the application? If we are going to discuss this, I think we should know just what the basis of the application was.

Professor HAYAKAWA: Since I am not familiar with legal language, we have been content to allow the brief to take care of that.

Mr. CAMERON: He applied for the right to vote because he was a British subject by birth.

Miss HYODO: He was a naturalized Japanese of Japanese birth.

By Mr. Turgeon:

Q. He was a naturalized Canadian?

Miss HYODO: Yes, of Japanese birth.

Mr. HEAPS: Was it not a case of whether the law of British Columbia was valid?

The CHAIRMAN: I do not know the decision. As a matter of fact, I only received this brief yesterday.

Mr. NEILL: Perhaps I might explain that as I am familiar with it. It was a question of whether the law of British Columbia was valid, and the decision was that the law of British Columbia was valid. They said they could make any kind of franchise they chose, and that was by the highest court in the British Empire.

By Hon. Mr. Stirling:

Q. Is the case covered by this brief?

By Mr. MacNicol:

Q. I would like to ask—

The CHAIRMAN: I think we should have only one question at a time. Mr. Stirling asked whether that case is covered in this brief.

Professor HAYAKAWA: It is mentioned there.

By Mr. MacNicol:

Q. I would like to ask for a little more light on the point; whether it was for the right to vote in the British Columbia provincial elections or in the federal elections?

Professor HAYAKAWA: The provincial elections.

Mr. HEAPS: They are allowed to vote in federal elections if they wish to vote.

Mr. CAMERON: Our laws says that if they are disqualified by the laws of British Columbia, they cannot vote.

Mr. HEAPS: We have the right to change that law if we wish to.

By Mr. MacNicol:

Q. Did I understand that at one time the Japanese, either naturalized or British born, had the right to vote in British Columbia?

Professor HAYAKAWA: They never had, because the discriminations against them were put in force before they came, as against the Chinese. You see, it was not until 1884 that the Japanese started to come.

By Mr. Neill:

Q. They came with the full knowledge of the restrictions?

Professor HAYAKAWA: Yes.

By Mr. MacNicol:

Q. Did I also understand that certain Japanese enlisted in British Columbia?

Professor HAYAKAWA: Oh, yes.

Q. And enrolled in Canadian regiments?

Professor HAYAKAWA: Yes.

Q. And went overseas?

Professor HAYAKAWA: Yes. There is a special provision permitting returned soldiers to vote.

Dr. BANNO: Mr. Chairman, may I give some figures as to the Japanese soldiers?

The CHAIRMAN: Yes.

Dr. BANNO: 196 went overseas of which—

By Mr. MacNicol:

Q. How many went over?

Dr. BANNO: 196. 54 were killed, and 20 died of disabilities and sickness overseas.

By Mr. Cameron:

Q. How many returned?

Dr. BANNO: Those returned to British Columbia and after 13 years and spending a lot of money trying to maintain their franchise were finally given provincial rights to—

Mr. NEILL: To vote.

Dr. BANNO: To vote.

By Mr. Turgeon:

Q. Is the right of the Japanese returned soldier to vote extended to his family?

Dr. BANNO: No, his vote dies with him when he dies.

Mr. TURGEON: Of course, it does with everybody.

Mr. HEAPS: No, no, the voting right goes on.

By Mr. Turgeon:

Q. Does his wife vote, his father, mother and son?

Professor HAYAKAWA: No, sir.

Q. Are you sure of that?

Professor HAYAKAWA: I am quite sure of that.

By Mr. MacNicol:

Q. What is the position of children of a marriage between a Japanese and an Occidental?

Dr. BANNO: I could not get your question.

Q. What is the position of a child of a marriage between a Japanese and an Occidental? Would the child have the right to vote when it reached the age of 21?

Dr. BANNO: The child of a returned soldier?

Q. The child of a mixed marriage?

By Mr. Turgeon:

Q. Suppose a Japanese marries a Canadian girl?

Dr. BANNO: I do not think he is, really. I am not quite sure about that.

Mr. REID: If the father is British.

Mr. MacNicol: All I can say is that the delegation presented a very excellent case for themselves.

Mr. Neill: Mr. Chairman, I have not had the time to read more than two or three pages of this brief, and I suppose the same applies to other members. However, I see in it several attempts which absolutely are not in accordance with the facts. There are a number of other statements and I suggest that we be allowed to examine these statements after we have had time to digest them. In the meantime I would like to ask this gentleman for some information, whichever one is the spokesman.

Q. How many Japanese graduated from the British Columbia University last year.

Dr. Banno: I think there were about 5 or 6.

Q. In the last 15 years how many marriages have there been between whites and Japanese?

Dr. Banno: I am not personally acquainted with any.

Q. Here is another question I would like to ask. I think it was the gentleman who said he was a professor—and if I understood him wrongly I do not wish to do him any injustice—who stated that this brief was got up by these young people?

Professor Hayakawa: Not the brief, sir; the survey.

Q. Not the brief?

Professor Hayakawa: No.

Q. Who was the brief got up by?

Professor Hayakawa: The author is shown right there—T. G. Norris, K.C.

The Chairman: I might explain that I have a letter from T. G. Norris, K.C., of Vancouver, introducing this delegation and stating that he had prepared the brief.

Mr. Heaps: Not the ones that were read by the delegation?

The Chairman: No, no; the brief that has been distributed.

By Mr. Neill:

Q. I would like to ask this gentleman another question. It is ascertained, is it not, that this restriction against being a druggist or a lawyer is entirely concerned with their local guilds and has nothing to do with the Dominion of Canada?

Professor Hayakawa: No.

Q. I understand him to convey the impression that a white man going to Japan could by five years' residence obtain the right to vote with the same ease that a Japanese can get naturalized here, is that correct?

Profesor Hayakawa: I do not know if the exact details of the process of naturalization are the same.

Q. You said a man with five years' residence could get naturalized in Japan?

Mr. Cameron: It is set out in the brief.

By Mr. Neill:

Q. And that is true?

Professor Hayakawa: Yes.

The Chairman: I think you will find certain restrictions concerning that in the brief.

Mr. Neill: I think you will find a good many restrictions. These men who have given evidence to-day are all highly educated, far more educated than I am; they have all been at college and attained degrees. They are highly educated and intelligent, and they know what they are talking about. Does it

not strike them, or what is the answer to this argument: the Dominion Act is based entirely on the provincial Act, and we merely say in accordance with a long established custom, if it has the force of law, that whatever the restrictions are that are placed on the province will be carried into the Dominion franchise. Would it not appear to men of the intelligence and education of these men that the proper place to initiate this agitation would be in British Columbia?

Professor HAYAKAWA: Sir, do you happen to know that the women of the province of Quebec have a vote?

Mr. NEILL: I know. That proves the exception.

Professor HAYAKAWA: There is no reason why there cannot be two exceptions.

By Mr. Neill:

Q. You have not answered my question. Why do you not begin in British Columbia? British Columbia is the place which puts the exception on; why do you not agitate there?

Professor HAYAKAWA: We have been agitating there for years, sir.

Q. With any success?

Professor HAYAKAWA: No, of course not. We are protesting again here.

Q. Why do you come here to protest?

Mr. HEAPS: I think that is a most unfair question. I do not think it is up to any member to tell the delegates where they should go to make their protests. It is up to them.

The CHAIRMAN: I think I had better explain just what the situation is. When I was first brought into the matter in connection with the delegation coming down, I explained at that time that it was not the intention at this session of parliament to amend the Franchise Act. The only reference to this committee is to study and make a report on amendments which we thought might be necessary or advisable, and that the work of this committee would in all probability continue into the next session of parliament; in any event, there would be no change made until the next session of parliament. The delegation thoroughly understands that that is the situation.

Professor HAYAKAWA: Yes.

The CHAIRMAN: They came here personally to appear before the committee and present the brief and also to state what additional matter they could to the committee. They have plenty of copies of this brief available for distribution among all the members of the House, I think, and we shall have an opportunity of studying it and possibly calling in other witnesses. As a matter of fact, as chairman of the committee I feel we are in duty bound to investigate and study the brief thoroughly and call other witnesses on matters that we are in doubt about. So that this morning the delegates who are here are simply presenting their case, which may be answered in a dozen different ways at a later time.

Mr. MACNICOL: We might ask the Japanese voters to send delegates.

Mr. GLEN: I have not had an opportunity of reading over this brief, but it seems to me that there is a legal question involved of which this committee should be seized. I think the question put by Mr. Neill to Professor Hayakawa as to why the case was not presented to the British Columbia legislature is in point. Does it mean that this committee will be asked to amend the Dominion Franchise Act and that it will have a bearing on the provincial franchise act of British Columbia?

The CHAIRMAN: No, not the Provincial Act of British Columbia. It is only a matter of the federal parliament, if it sees fit to amend its franchise act to extend to British subjects of Japanese parentage the right to vote at federal elections.

Mr. GLEN: That does not meet the presentation made by the delegation this morning. They wish the provincial franchise act extended to include the Japanese.

The CHAIRMAN: We have no jurisdiction in that matter.

Mr. GLEN: Then Mr. Neill's question as to why the presentation was not made to the British Columbia legislature instead of to this committee is in point.

Mr. MACNICOL: They have every right to come here if they desire to do so.

Mr. TURGEON: This delegation has every right to appear before this committee, and I wish to compliment them and, as a Canadian, to felicitate them, especially those who now live in British Columbia, for the manner in which they have made their presentation. They have demonstrated that educational facilities have not been neglected or denied to them. It is a question whether or not economic facilities have been denied to them, and also whether they have been denied because of any lack of the right to vote on election day when election day comes around. As a member of the committee which at some time will have to make a report to the House of Commons as to the results of its investigations, and as a member of the committee which is now seized with the necessity of dealing with this submission I do intend at some time or other to address the committee upon this question. I do not desire to do so to-day because I am not sufficiently informed as to exactly what has been presented to us. I would like to know whether when the committee meets again the members of this delegation will be present? If not, I would like to say one or two words to-day. Miss Hideko Hyodo, who so admirably expressed herself at the opening, mentioned the reference in the debate in the House of Commons to the setting up of this committee for the purpose of studying all matters related to the franchise. The reference was made by the prime minister to the effect that the question then under debate in the House of Commons could properly and better be considered in this committee. I presume that the members of this delegation know what was the subject of that particular debate in which that reference was made. Speaking from memory, because I have not seen this submission until to-day, and have not looked up Hansard, the debate in which that reference was made surrounded entirely the suggestion that Japanese living in any part of Canada, including British Columbia, should be excluded from Canada unless Canada were ready to force upon the people of British Columbia the necessity of giving the Japanese resident in that province the right to vote. I would like to know whether the delegation which is here to-day on behalf of the Japanese, and who are so thoroughly informed as to the position of the Japanese in British Columbia, have considered the suggestion that if the parliament of Canada is not ready to extend the right to vote to the Japanese in British Columbia they would prefer that exclusion proceedings should be adopted? Personally I would fight against exclusion proceedings to the utmost limit. If I were the only person in the House of Commons left to vote against exclusion I would do so. I mention that now because I do not want these thoroughly educated ladies and gentlemen from British Columbia to go back to that province with a wrong view of what is the sentiment either of this committee or the House of Commons as to the question that was presented to us as members of the House of Commons when the suggestion to which Miss Hyodo referred was made by the prime minister. Later on I intend to discuss this question, but I do not want to discuss it any further now. I mention that matter only because when we do discuss the question again the delegation from British Columbia and our learned friend from Wisconsin, and formerly of British Columbia, will not be with us.

Mr. REID: According to the information I have Japan does take quite an interest in her nationals abroad, and rightly so; and I understand that when children are born of Japanese parents in British Columbia the parents have

the right immediately to register such births with the Japanese consul there or in Japan as well as with the Canadian authorities. I would like to know first of all if that is a true statement, and if so, have you any figures to indicate the proportion of children born in British Columbia or in Canada who would be registered with the Japanese consul here or in Japan and also with the Canadian authorities.

Professor HAYAKAWA: Dr. Banno will give you the correct figures on that. I can only tell you that it is quite true that a child may be registered in Japan at the same time as it is registered in Canada. The reason is quite simple: First of all, the habit of registering births in Japan is a sort of relic of family tradition and is observed in order that one's family records in Japan will not be incomplete. That is a purely sentimental reason. The practical effect is that if we in British Columbia have no vote and are discriminated against and have only one nationality, we are up against it; we have no one to whom we can appeal; but if we have a dual nationality, so long as there are certain restrictions against us we can get protection.

Mr. REID: This takes place in the United States as well as in Canada, and you have told us that the Japanese born in the United States are granted the United States franchise, but in the states of Washington and Oregon the same procedure applies?

Professor HAYAKAWA: Yes, but as long as there is this economic and social insecurity it is convenient for us to have dual nationality in case we are discriminated against. So far as the practical effects are concerned, we are Canadian citizens and can travel on Canadian passports anywhere in the world, but if I go to Japan and stay there for more than three months I am regarded as a Japanese.

Mr. CAMERON: Who applies the three months' restriction?

Professor HAYAKAWA: The Japanese.

Mr. NEILL: Can you not regain your nationality in Japan in three weeks?

Professor HAYAKAWA: No, in three months. I was there one month last summer and was treated as a Canadian citizen throughout.

Mr. NEILL: This dual nationality is quite convenient?

Professor HAYAKAWA: It has to be convenient so long as there is discrimination.

Mr. GLEN: Would you be considered as a Japanese national?

Professor HAYAKAWA: No. So long as we remain outside the Japanese empire we are not Japanese nationals.

Mr. HEAPS: While you are a Canadian citizen resident in Canada has the Japanese government any claim whatsoever upon you?

Professor HAYAKAWA: None whatsoever.

Mr. TURGEON: Mr. Reid asked you a question concerning registration of births which led up to the question of dual nationality. At the moment I am not the least concerned with dual nationality and do not care whether you have it or not. I am concerned with the question of franchise, and I cannot see any relationship whatever between the question of franchise in British Columbia and the question of dual nationality. I take it that you were born in Calgary or Winnipeg?

Professor HAYAKAWA: I was born in Vancouver.

Mr. TURGEON: There are many Japanese who were born in Calgary, Winnipeg and other parts of Canada who have the vote; there never was any question of their exercising the franchise. They also were affected by this dual registration exactly in the same manner as those who are born in British Columbia. Therefore the two matters are not related. One is not tied up with the other at all. I am not worried over the question of dual nationality.

Professor HAYAKAWA: These legal questions are not always clear in the minds of every Japanese, either. Sometimes he registers in Japan for purely sentimental reasons. The movement of the Japanese-Canadian Citizens' League was initiated to have as many people as possible cease registering births with the Japanese consul, with the result that the number of people who have this dual nationality is steadily decreasing, because of the efforts of those people here.

Mr. HEAPS: Does the fact that you register with the Japanese consul a child born in this country give that child a dual nationality?

Professor HAYAKAWA: Not strictly a dual nationality; it means that if he goes to Japan he can be—

Mr. HEAPS: He only has a dual nationality in case he leaves the country for an extended visit.

Professor HAYAKAWA: If a man were to go to Japan and he stays there two months, he is repatriated on the register there.

Mr. PERLEY: If you go to Japan which country takes the initiative—

Professor HAYAKAWA: I did not stay long enough to find out.

Mr. PERLEY: I am asking the question, do you know? If you stayed there three months you would become a Japanese citizen. Which country takes the initiative?

Professor HAYAKAWA: I imagine the Japanese government takes the initiative.

Mr. HEAPS: If you were in a jam in any way you would be under the control of the Japanese government?

Professor HAYAKAWA: I would be repatriated, yes.

Mr. HEAPS: You would be under the control as a Japanese national?

Professor HAYAKAWA: Yes.

Mr. HEAPS: If you did not want that you would have to leave before the three months had expired?

Professor HAYAKAWA: Or else get special permisison not to do so.

The CHAIRMAN: Mr. Cameron, you have a question?

Mr. CAMERON: What I was going to ask has been already answered. I suppose the test of whether you are a national of Japan or not depends on a great many things. If you were being improperly treated in regard to franchise or any other matter, could you successfully appeal to Japan for protection as against British Columbia, for instance?

Professor HAYAKAWA: I do not know sir; we have never tried that out. In case of business failure or improper treatment there is a chance for us as we now stand, of throwing it all up and going to Japan. But I might say, incidentally, by the way, that I am not only a Canadian citizen in the ordinary sense of the term—

Mr. MACNICOL: You are Canadian born?

Professor HAYAKAWA: I might tell you, for the information of Mr. Reid, who seems to question our loyalty—

Mr. REID: No; hold on a minute. Just get away from that. I have never questioned your loyalty nor do I. The inference I was drawing is that Japan has the first claim, because your children are registered in Japan, in time of trouble.

Professor HAYAKAWA: No; Canada has the first claim because we are here.

Mr. REID: If you went to Japan, the fact that you are registered there as well as in Canada, although born in British Columbia, the Japanese government would have first claim upon you if you stayed four months. You would become repatriated, you would become a full-fledged Japanese citizen.

Mr. HEAPS: That is a legal question. I am wondering in my own mind, if a Canadian citizen leaves this country for a period of time, whether he can really shed his Canadian citizenship.

The CHAIRMAN: I think it will be possible for this committee, before disposing of this problem, to get accurate knowledge of that.

Mr. HEAPS: I should like the legal aspect of the whole situation cleared up in my own mind. I should like to know if the Japanese government can make a claim upon a person of Japanese birth in this country who goes back to Japan. I think there is some international law that can be invoked. Before we discuss this matter here, I should far rather have the legal opinion of the law advisers of the crown on the whole situation.

Dr. BANNO: Mr. Chairman I should like to say a few words about this dual nationality. Prior to 1924 Japanese nationality law said that every Japanese child of Japanese parents, no matter where they were born, were Japanese subjects. But in the session of 1924 in Japan that clause was changed to read that unless we wanted to register here we did not have to. So that a child born of Japanese parents in British Columbia, if he does not register with the Japanese consul in Vancouver, is entirely Canadian, and that is the only nationality he has. There is an increasing proportion of children who are registered only with the Canadian office.

Mr. TURGEON: In British Columbia?

Dr. BANNO: In British Columbia.

Mr. TURGEON: That gets back to the point I was trying to make. Franchise has nothing at all to do with custom.

Dr. BANNO: I was trying to explain.

Mr. REID: The question I was going to ask, Doctor, was, have you any figures on how many Japanese born or British Columbia born boys have gone back to do military service in Japan?

Dr. BANNO: Well, I suppose there are some who went back to Japan and were conscripted. We have no figures available. I think they are a very few, anyway, from my knowledge of the subject.

Mr. NEILL: Is it not a fact that before a Japanese national can get in this country he has to produce a certificate from the Japanese government to show that he has done his military duty or has been exempted there?

Dr. BANNO: No, I do not think that is correct.

Mr. NEILL: That is so. You can take my word for it. I can produce evidence.

Mr. HEAPS: Mr. Chairman, I think we are discussing a great many of these questions without knowing very much about them.

The CHAIRMAN: Yes.

Mr. NEILL: I got that information from the Immigration Department not three weeks ago.

Mr. CAMERON: That would be our own regulations?

Mr. NEILL: No, the Japanese regulations.

Mr. HEAPS: The same point comes up in connection with other nationalities.

The CHAIRMAN: Order, gentlemen, please.

Mr. HEAPS: I would just as soon allow the matter to rest where it is, and discuss it at another time when we have had a chance of going through some

of the statements that have been submitted to us here this morning, and getting at the same time the legal opinion of some of the law officers of the Crown.

The CHAIRMAN: I think that the members of the delegation thoroughly understand the situation so far as this committee is concerned; and they were quite willing to come here under the circumstances and present their case. It is up to us to analyze the case presented at our leisure, and to call for whatever information we may require before coming to a conclusion.

Mr. PERLEY: Will the statements read by the representatives be printed in the report?

The CHAIRMAN: They will be printed in the report; and we will file these briefs with the report. I think there are plenty to go around.

Mr. MACNICOL: I should like to congratulate the various members of the delegation who have submitted statements to us here on their splendid command of the English language. I should further like to congratulate them on what they have done to help built up Canada. It brings to my mind very forcibly that the British Empire is an Empire of many races; and even in the dear old mother of Parliaments they have men of various races. I believe there are, in the British Parliament, one or two Lascars or one or two Asiatics.

Mr. HEAPS: There was one formerly.

Mr. MACNICOL: It makes me prouder and prouder of our British traditions and British ideals, that people of all nationalities can get along within our Empire. It is a bit of a surprise to me to know that these conditions exist in British Columbia. There may be reasons for it. I am passing no comment on the right or wrong of it whatever. I want to thoroughly study the briefs, thoroughly study what has been submitted here and hear any other evidence that we can get in connection with the matter. So far as I am concerned, my mind is wide open.

The CHAIRMAN: On behalf of the whole committee, I think I can also express to the members of this delegation, our appreciation of the manner in which they have presented the case. We are not committing ourselves in any way as to the legality of what is contained in that brief. That will all have to be studied, digested, and analyzed before a conclusion can be arrived at.

Mr. CAMERON: I notice, Mr. Chairman, in the brief there is a qualification such as I suggested to the doctor, as follows: " The Minister of the Interior cannot permit naturalization, except in the case of persons fulfilling the following conditions," and No. 4 is: " Having sufficient property, or ability, to secure an independent livelihood." That is in Japan. That is in your brief.

Miss HYODO: Yes.

The CHAIRMAN: I think there are other restrictions also.

Mr. CAMERON: Oh, yes.

The CHAIRMAN: Certain matters may be referred to the Minister of the Interior in Japan.

Professor HAYAKAWA: Mr. Chairman, I should like to thank the committee for the very kind hearing they have given us.

The CHAIRMAN: I do not know just when the next meeting of the committee will be. I understand there are a number of committees being held next Tuesday. At the next meeting we hope to be able to present the report of the subcommittee on proportional representation and the alternative vote, and to possibly take up the next order on the reference to us of compulsory registration and compulsory voting.

Mr. TURGEON: Do you expect that report at the next meeting of this committee?

The CHAIRMAN: Yes.

The committee adjourned at 12.45 p.m. to meet again at the call of the chair.

HOUSE OF COMMONS, ROOM 429,

May 27, 1936.

The special committee appointed to study the Dominion Elections Act, 1934, and the amendments thereto, and the Dominion Franchise Act, 1934, and amendments thereto, met at 11 o'clock, Mr. Bothwell, the chairman, presided.

The CHAIRMAN: Gentlemen, we will hear Mr. Butcher on compulsory registration.

Mr. HARRY BUTCHER, recalled.

WITNESS: So far as I can ascertain only two countries have adopted compulsory registration—Australia and New Zealand.

Hon. Mr. STEVENS: Federally.

WITNESS: Federally. Apparently the New Zealand Act is founded upon the Australian Act, so when I speak about the Australian Act I am giving full information in regard to the New Zealand Act also. I wrote to the chief electoral officer of the Commonwealth of Australia, and he very kindly sent me a copy of their Commonwealth Electoral Acts—a copy of the instructions given to divisional returning officers, a copy also of the joint instructions given to Commonwealth and State Assembly electoral registrar appointed to keep subdivision rolls, and a copy of their statutory rules. Perhaps, it would be well to explain that in Australia there are four classes of election officers—or rather three classes in addition to the chief electoral officer. The chief electoral officer has control over the administration of Federal Electoral Acts throughout the whole of the Commonwealth. Beneath him and subject to his instructions there is a Commonwealth electoral officer in each of the six states. Under the direction of this Commonwealth electoral officer there are divisional returning officers, one for each of the 74 divisions. In addition, there is an electoral registrar for each subdivision. I might say that a subdivision corresponds to our polling division. I am informed that, as a general rule, the divisional returning officer in urban divisions is also the electoral registrar for all the subdivisions in his division, and in rural electoral districts the divisional returning officer is also the registrar for all those divisions that are reasonably adjacent to his home office. The particular words of the Commonwealth Act that relate to compulsory registration, perhaps I should quote in full.

Section 41 of the Act reads as follows:—

> (1) Any person qualified for enrolment, who lives in a subdivision, and has so lived for a period of one month last past, shall be entitled to have his name placed on the roll for that subdivision.

(2) Any elector whose name is on the roll for any subdivision and who lives in any other subdivision, and has so lived for a period of one month last past, shall be entitled to have his name transferred to the roll for the subdivision in which he lives.

Section 42 says:—

(1) Every person who is entitled to have his name placed on the roll for any subdivision whether by way of enrolment or transfer of enrolment, and whose name is not on the roll, shall forthwith fill in and sign, in accordance with the directions printed thereon, a claim in the prescribed form, and send or deliver the claim to the registrar for the subdivision.

(2) Every person who is entitled to have his name placed on the roll for any subdivision whether by way of enrolment or transfer of enrolment, and whose name is not on the roll upon the expiration of twenty-one days from the date upon which he became so entitled, or at any subsequent date which he continues to be so entitled, shall be guilty of an offence unless he proves that his non-enrolment is not in consequence of his failure to send or deliver to the registrar for the subdivision for which he is entitled to be enrolled, a claim in the prescribed form, duly filled in and signed in accordance with the directions printed thereon.

Penalty: For the first offence, ten shillings; and for any subsequent offence, two pounds.

The chief electoral officer of the Commonwealth very kindly sent me copies of the forms of application that are used. These forms are of two kinds: one form applies to an application for registration in a state in which the roll of the state and the roll of the Commonwealth—the roll of the electors of the Commonwealth are one and the same. Four of the states have rolls in common with the Commonwealth. Those states are New South Wales, Victoria, South Australia and Tasmania. In those four states all elections that are held, whether State or Commonwealth, are conducted by the federal electoral officers. Those officers not only conduct all elections, both Commonwealth and State, but they also conduct any referendum; and also they take the census; so that they are full term officials giving the whole of their services to the government for these particular offices. As you will notice they have quite a lot of work to do.

The system employed is as follows: they have, first of all, what is known as a Habitation Index System. This is used in the cities and the larger towns, and applies to all habitations except large residential hotels, colleges, hospitals, etc. On the cards that are employed under this system the names of all electors enrolled in respect of habitation are placed and are reviewed half-yearly by each postman in so far as his beat is concerned. The postman checks the entries on the card relating to each habitation, indicating those who have permanently ceased to reside, and those who have come there to reside since the last revision. With regard to the excepted buildings aforementioned, separate schedules are maintained and periodically reviewed in a more direct manner.

Then, again, there is the agency system which is used in rural areas, the Habitation Index not being practicable there. Selected persons, usually holding some public office such as postmasters, municipal clerks, policemen, etc., are appointed as electoral agents and are supplied with the necessary material to enable them to perform their duty satisfactorily. When the habitation cards or

agents' lists are completed, they are forwarded by the proper officials to the Commonwealth electoral officer whose duty it is now to so file these cards of application for enrolment or transfer in such a manner that at any given time there may be a complete list of all the electors within the Commonwealth Federal division. The card index, I am informed, is kept up to date. Every registrar must send in the claim cards to the Commonwealth electoral officer after they have been properly dealt with by himself.

The chief electoral officer remarks concerning this system that it provides a unique directory of the adult inhabitants of the state, which provides a most valuable source of reference for many and varied purposes.

I might say that this official also tells me that the system has been in force now for about twelve years—I think it is—since 1924, and that there is not the slightest discontent with it. In fact, not only political organizations, candidates and members but the populace generally are quite satisfied with it.

Mr. HEAPS: Have you any idea of the cost?

WITNESS: I will give that later. The chief electoral officer informs me that in administering the compulsory provisions of the law, every effort is made to avoid harshness. A notice reminding the public that registration is compulsory is kept in all post offices, and other officials make it their constant business to see that every person is registered. Notwithstanding that, about 25,000 persons are fined annually for failure to register.

The CHAIRMAN: How many?

WITNESS: 25,000. When it is disclosed that a person has failed to register, a notification is sent to him by the divisional returning officer. The defaulter is asked to explain, and may consent to be dealt with by the Commonwealth electoral officer, thus avoiding proceedings in the ordinary courts.

Mr. TURGEON: Will you read that again?

WITNESS: He may consent to be dealt with by the officer who asked him to explain.

The CHAIRMAN: That will mean a fine by that officer, will it?

WITNESS: Yes. He goes on to say what happens. I am informed that as a general rule defaulters agree to this—thus saving costs. The penalty usually imposed is 2 shillings 6 pence except in case of aggravated continuous default, when the full statutory penalty may be imposed. Where even the payment of 2 shillings 6 pence would involve hardship, no penalty is imposed.

The chief electoral officer continues:—

> The aim of the Commonwealth is to keep the registration of electors constantly and continuously up to date, so that whenever an election or referendum eventuates a thoroughly and complete roll of those entitled to vote is immediately available.

With regard to the question asked by Mr. Heaps a moment ago as to cost, if it is convenient to the committee I will refer to that later under the subject "compulsory voting," because the cost of registration as distinct from the cost of voting has not been given to me. I have only the total cost of both registration and voting.

By the Chairman:

Q. Have you a comparison as between Canada and Australia?—A. Yes. I will be able to give you that.

Q. May I ask if the officials to whom you refer in your memorandum are permanent officials?—A. Yes, they are permanent officials, with the exception of the electoral registrar for a polling division, who generally happens to be or is the divisional returning officer and, in that case, of course, is a permanent official.

By Mr. Turgeon:

Q. How long has this system been in force?—A. Since 1924.

By Mr. Heaps:

Q. How are those officials appointed?—A. It does not state in the act. I would assume that they are appointed by the governor in council.

Q. Are they permanently appointed?—A. Yes. They describe them as permanent officials. I do not know under what circumstances they might be changed; it is not mentioned in the act at all. That is all I have on that subject. The situation in New Zealand is practically the same as in Australia.

By Mr. Turgeon:

Q. 25,000, out of what population?—A. Just over 6,000,000.

Q. Is that the voting population?—A. No, the voting population is about 4,000,000.

Q. Out of 4,000,000, 25,000 were fined?—A. Yes. Perhaps it would be advisable to go over the figures I have in connection with compulsory voting, because in that way I can give you the two costs at once.

By Mr. Glen:

Q. There is one thing to investigate there, someone has to see whether the names of the people who vote were on these lists prior to an election?—A. Yes. The registrar is under the necessity of trying to ascertain for himself if the names of people who should be on the lists are there.

Q. The thought in my mind was that in the revision of our Act, in the rural constituencies especially, we would find many cases where people had not registered right up to as late even as election day?—A. Yes, but on election day it becomes obvious who the defaulters are. It is the duty of the electoral officer to check up the names of those who have failed to register. Mr. Heaps was asking about cost. I am informed that in any year in which there is a general election the cost is £200,000, approximately $1,000,000.

By Mr. Heaps:

Q. Is that based on the current value of the Australian pound?—A. Yes. I am told to-day that it is worth approximately five Canadian dollars.

Q. I think you will find that it is not worth quite that much, that it is at a discount of about 20 per cent under that?—A. Then you would have to take 20 per cent off my figures. I worked it out on the basis of $5 to the pound. At any rate, I am informed—these are the figures given to me by the Chief Electoral Officer—that in a year in which a general election is held the cost is £200,000 and in a year in which a general election is not held the cost is £100,000. In that connection, the population of Canada is 10,367,000 and the population of Australia is 6,624,000. On the basis of $5 to the pound—which is apparently inaccurate—I found that the cost for Canada would be, in an election year $2,499,990, and in a year in which no election is held the cost would be $1,666,665.

By Mr. Turgeon:

Q. Is that the cost for registration?—A. For registration and election.

By Mr. Heaps:

Q. Over a four year period what would that amount to?—A. That would be three times $1,666,665, plus $2,499,990.

Q. That would be $7,000,000?—A. More than that; very much more expensive than our present system. Almost twice as costly.

WITNESS: That is all the information I have with regard to compulsory registration, Mr. Chairman.

By Mr. Heaps:

Q. What was the total cost of our last general election?—A. I think it was about $3,800,000—$4,000,000 approximately; but that includes the $200,000 spent for machinery in order to enable the King's Printer to print the lists.

Q. What was the cost of the previous election?—A. $2,166,000 approximately.

Q. And you figure that we have about 50 per cent more population than Australia?—A. It is really rather more than that.

Q. And that would add 50 per cent to the Australian cost?—A. That is my impression.

Hon. Mr. STEVENS: That is what he has done.

WITNESS: Yes.

By Mr. Heaps:

Q. That is what you have done?—A. Yes.

Q. Could we not carry on an election here at a much lower cost than they have in Australia?—A. It is very hard to say as to that. There is no doubt at all that an election in Canada can be run very much more cheaply; registration and election in Canada could be run very much more cheaply than has been the case in Australia.

By Hon. Mr. Stevens:

Q. Mr. Butcher, have you got a separate indication of the cost of compulsory registration and compulsory voting in Australia?—A. No, the Chief Electoral Officer made no distribution or distinction with respect to the separate costs.

Q. Would your studies indicate that compulsory voting would automatically in part cover the results secured by compulsory registration?—A. There is no doubt that compulsory registration was adopted in Australia because they intended to adopt compulsory voting later on, which they did in the following year.

Q. Will your investigation lead you to conclude that the two must go together?—A. No, not necessarily. New Zealand has compulsory registration but not compulsory voting.

Q. I may not have made the other point clear; would your researches indicate that if compulsory voting were adopted here it would have the tendency largely to cover the results achieved by compulsory registration without the cost of the machinery?—A. I am afraid not. I think you simply must have compulsory registration if you are going to have compulsory voting.

By Mr. Factor:

Q. You say you could not have compulsory voting without compulsory registration?—A. Without it you would not know who had failed to vote.

By the Chairman:

Q. What justification would there be for having compulsory registration without compulsory voting. How does New Zealand justify that?—A. I do not know. I have no information on that point.

By Mr. Heaps:

Q. What percentage of the electorate of Australia voted at the last election? —A. 95 per cent.

Q. That compares with what?—A. With 70 per cent when compulsory voting was first introduced.

Q. What did we have here in our last election?—A. Within a few points of 75 per cent.

By Mr. Turgeon:

Q. There is one thing, Mr. Chairman, that strikes me in connection with Mr. Butcher's exposition of the Australian law, particularly registration; they have a complete corps of trained officials, and I suppose they are fairly highly paid, whose sole duty practically is to put persons names on the list. How about the fellow whom they inadvertently leave off the list, and who because of that becomes an offender against the law; if he does not know that he has been left off the list has he any way in which he can take action to protect himself when he finds out that he has been left off?—A. The point is that he is under a duty to register. He does not need to require information as to whether he has been left off or not.

By the Chairman:

Q. Are these lists posted up so that a man can find out whether his name is on it or not?—A. They would only have to apply anywhere for registration, they do not need to see whether their names are on the list or not.

Mr. GLEN: It is the business of the voter to get on the list.

Mr. FACTOR: If qualified to vote a man must register.

WITNESS: He must register within 21 days of becoming qualified.

Mr. HEAPS: The cost in Australia seems surprising to me. I was under the impression that compulsory registration and compulsory voting would have the effect of reducing the cost of an election rather than increasing it.

Hon. Mr. STEVENS: We are overlooking one thing, and that is that this includes the census.

WITNESS: The census, and state elections.

By Hon. Mr. Stevens:

Q. They include the census?—A. And state elections.

Q. Their figures include enrolment, census and election expenses, and the cost of elections with respect to four state governments; if we were to include our provinces, and all referendums, if you were to take a ten year period I think you would find that there would not be much difference, but there would be some?—A. There would be some difference.

By Mr. Heaps:

Q. In Australia they have a permanent list continuously available?—A. Yes.

Q. I do not know whether we in this country could work in harmony with the provinces in having a list issued suitable for both provincial and federal elections. I hardly think we could, which would mean that we would have to provide our own electoral lists; and I think if we would have say registration a month or two months before an election, which would become compulsory voting—I am not committing myself to the principle but just speaking in a general way—if we had that I think that our actual cost would probably be less than it is at the present time?—A. I should have mentioned that to a great extent the Commonwealth and state polling divisions correspond in area.

Hon. Mr. STEVENS: We would have to eliminate that, because the provincial jurisdiction is such that a matter of that kind could only be arrived at when we had had a conference with the provinces, and so on.

WITNESS: That is correct.

Hon. Mr. STEVENS: So, I think our study of the matter should be limited to the federal field. But it would be interesting if we could find, and I think you can get very considerable help from Mr. Coats and his chief of the census staff, if we could find what it costs Canada to take the quinquennial census in the prairie provinces and the decennial census for the whole of Canada, and the cost of carrying on our electoral machinery now. Taken together these might bring out costs pretty well up to the cost of the census bureau, because that functions continuously—not just one year, when you take a census it takes three or four years to compile the information after it has been taken—and a compilation of the cost of these services as now rendered in Canada when compared with the cost of the Australian system would I think show a much narrower margin of excess cost for Canada.

Mr. CAMERON: Would not registration do away with the necessity for taking a census?

Hon. Mr. STEVENS: It does not do that. The same officers do it.

By Mr. Turgeon:

Q. Do your costs there include the cost of compiling the census?—A. I rather doubt that. I quote the words of the Chief Electoral Officer:—

> It may however serve your purposes to know that the whole cost of the Commonwealth electoral administration (including salaries and all other expenditure involved in the administration of the Commonwealth electoral laws) is approximately as follows:
>
> In a year in which no general election or referendum is taken—£100,000, or 6d. per elector.
>
> In a year in which a general election is held—£200,000, or 1/- per elector.

I very much doubt if it does include the cost of taking the census.

By Hon. Mr. Stevens:

Q. Turn back to the first paragraph of your recital from this gentleman and you will find where he refers to the census?—A. I will quote from his communication:—

> The Chief Electoral Officer, Commonwealth Electoral Officers and Divisional Returning Officers, together with their requisite staffs of clerks, etc., are permanent officers of the Commonwealth public service and give their full time to such official duties as are imposed upon them. (These duties include mainly registration of electors and the maintenance of the rolls, conduct of parliamentary and other elections and referenda, taking of census, etc.)

Q. So it would look as though it included that?—A. Except that in this last paragraph he says, "including salaries and all other expenditure involved in the administration of the Commonwealth electoral laws." The taking of the census is not a part of that.

By Mr. Turgeon:

Q. I think their salaries would be included in that?—A. Yes.

The CHAIRMAN: Before Mr. Butcher proceeds, I think that if the suggestion advanced by Mr. Stevens were carried out it might secure for us some very enlightening information.

Hon. Mr. STEVENS: I would like to make a suggestion there, if I may. I think we sometimes fail to appreciate the machinery that is really at our disposal. I happen to know that Mr. Coats, of the Bureau of Statistics, in his census branch has one of the most efficient organizations in the public service; or, a very efficient organization, I will put it that way; and if Mr. Butcher would see Mr. Coats and his chief of the census staff and discuss this whole problem with them I believe we would get some very useful suggestions.

Mr. FACTOR: Do you not think that we had better find out first the basis of the Australian figures, whether they include the cost of taking the census as well?

Hon. Mr. STEVENS: He will get that. That is the reason I make the suggestion. What I am getting at is this, without question you have a marvellous machine down there with respect to both personnel and equipment. They have this card system worked out to a wonderful degree of efficiency. It might be of interest to the committee to know that a junior official of the census bureau some six or eight years ago invented the machine; he not only invented it but he built a machine there which has since been recognized in other countries throughout the world as a most phenomenal machine in dealing with this card system. It is really superhuman in its achievements. I mention that because that whole equipment, as well as men of training and experience in census matters, is all there, and it might possibly be that we could adapt it to this registration system. Then when we further consider this matter of compulsory registration we might have the benefit of some very valuable suggestions to be secured there.

By Mr. Heaps:

Q. I wonder if it would be possible for Mr. Butcher to work out what would be the cost in this country of an election in which we have compulsory voting and compulsory registration.

The CHAIRMAN: We have not heard from Mr. Butcher on compulsory voting yet.

Mr. HEAPS: We are discussing the question of costs now?

The CHAIRMAN: Yes.

Mr. HEAPS: It might be possible for him to work out such a tabulation now.

Mr. FACTOR: He has it all worked out.

Mr. HEAPS: Not for Canada.

The CHAIRMAN: His figures include both.

WITNESS: On the basis of $5 to the pound, which evidently is incorrect.

By Hon. Mr. Stevens:

Q. I think you will agree, Mr. Butcher, that that might be revised in the light of additional information?—A. Yes, that is correct. You mean the value of the pound, for instance?

Q. And the possibility of co-ordinating with the census bureau?—A. Yes, I understand that. I will do that.

The CHAIRMAN: Had we better proceed with compulsory voting?

WITNESS: I should like to quote from the statute.

By the Chairman:

Q. Just one question in connection with these cards. Has that to do with the census returns as well?—A. No, only application for enrolment or transfer of names.

By Mr. Heaps:

Q. I should like to ask a question based on those cards. Is a person living outside the constituency entitled to obtain one of those cards and send it to the electoral district in which he is entitled to vote?—A. Yes; the card is only for registration; but wherever he is in the state he may vote. I shall refer to that when we are speaking of compulsory voting. The particular section of the act relating to compulsory voting is section 128 (*a*):—

> It shall be the duty of every elector to record his vote at each election.

Subsection 12 of the same section says:—

> Every elector who—
>
> (*a*) fails to vote at an election without a valid and sufficient reason for such failure;
>
> or
>
> (*b*) on receipt of a notice in accordance with subsection (4) of this section, fails to fill up, sign, and post within the time allowed under subsection (5) of this section the form (duly witnessed) which is attached to the notice.
>
> " shall be guilty of an offence " and liable to a penalty of not less than ten shillings and not more than two pounds.

I may say here the notice referred to is the notice sent by the returning officer to the elector who has failed to record his vote calling upon him within 21 days to give an explanation. I shall quote the words of the chief electoral officer:—

> The divisional returning officer, after the election, must prepare a list of non-voters. Having prepared this list, he sends a notice calling on defaulting electors to give a " valid and truthful and sufficient reason why he failed to vote." The defaulting elector must reply within twenty-one days. If he should be absent from home or physically incapable of replying, any other elector with personal knowledge of the facts may answer for him. The divisional returning officer decides if the reason given is sufficient and later the divisional returning officer sends a list of defaulting electors to the Commonwealth electoral officer, who alone, by himself or by an authorized representative, can commence proceedings against the defaulter.

The penalty for failure to vote is not less than ten shillings nor more than two pounds. It should be pointed out that great facilities are afforded all voters who may be absent from home. In the first place there is the absentee vote. Any elector who happens to be within the state but not within his own electoral district may vote wherever he is under certain conditions. More than that an elector under certain conditions may even mail his vote; he may obtain a postal ballot and complete it under the conditions prescribed, have it witnessed and forwarded through the post office to the returning officer for his district.

By Mr. Cameron:

Q. Within the time limit?—A. He must give the reason for not having voted—

Q. I am speaking of the privilege of voting through the post office.—A. He must vote or arrange that his vote reaches the electoral officer on the balloting day.

By Mr. Turgeon:

Q. Can he do that if he is outside the country?—A. No, not outside the state; only within the state.

By Mr. Heaps:

Q. Would you revert back to the question of voting? Suppose a person's name is not on the voting list and he is absent from the electoral district how can he get his name on the list?—A. There are conditions imposed under which he can vote if his name is not on the list at the time.

Q. If his name is not on the list and he is absent during the specified time can he mail his name in and put it on the electoral list?—A. I have not discovered that.

By the Chairman:

Q. Had you finished reading the statute?—A. Yes, I have finished that. The chief electoral officer of the Commonwealth states that compulsory voting appears to be generally popular with parliamentary candidates, political organizations, etc. and to have been accepted without demur by the majority of the people. He says:—

> While the compulsion is distasteful to a section, especially those with conscientious or religious objections, and to some electors at an election where none of the candidates are regarded as representing their views, on present indication it would seem that compulsory voting will continue to be a feature of the Commonwealth law.

By Mr. Heaps:

Q. Have you any information as to how many of the total votes cast were spoiled ballots?—A. No, I have not. I have some more information later on as to the percentage of voters whose excuses are accepted and so on. I have already referred to the fact that one of the effects of compulsory voting is the percentage of the electorate recording their votes has been increased from 70 per cent prior to the introduction of compulsory voting to 95 per cent at the last election. On the occasion of an election I am informed the fact that voting is compulsory is extensively advertised in the press as well as over the radio. The chief electoral officer informs me that after an election the names of all electors who have voted are marked off the certified roll, and the names not so marked indicate those who have failed to vote. Notices are sent to such defaulters, calling on them to furnish reasons for their failure to vote. I think I shall quote certain figures given me by the chief electoral officer at this point. He says:—

> Notices are issued to these persons,....

He is referring to persons who have failed to vote.

> ....except where the divisional returning officer knows the person has since died or was absent from the commonwealth or for any other reason was unable to vote, calling upon them to furnish their reason for not voting. Replies are received from about 75 per cent of the persons to whom the notices are issued, the bulk of the balance being returned undelivered by the postal authorities owing to the persons having left the addresses for which they were enrolled or otherwise (the latter applies mostly to prospectors and other itinerant workers, etc.). In a few instances in which the recipients ignore both the original notice and a reminder (sent by registered post) they are proceeded against through the courts and fined for failing to reply.
>
> Of the replies received about 95 per cent contain valid and sufficient reason for failure to vote, mostly sickness, long distance from a polling booth, religious objection, etc. Of the remaining five per cent generally at least one half contain reasons not wholly satisfactory, but where the administration considers a formal warning against any future dereliction sufficiently meets the case. In only about 2 per cent of the total non-voters is the reason given for failure to vote unacceptable, and in these cases the defaulters are so informed...."

By Mr. Turgeon:

Q. What per cent?—A. Two per cent.

By Hon. Mr. Stevens:

Q. Of the 5 per cent?—A. Of the total non-voters, only about 2 per cent of the total non-voters—

Q. The defaulters are 2 per cent of the 5 per cent?—A. Yes.

Q. Five per cent are defaulters and 2 per cent of the 5 per cent fail to give sufficient reason?—A. That is correct. Only 5 per cent failed to vote and only 2 per cent of those ordinarily are taken to the courts and proceeded against. I shall read that again.

By Mr. Cameron:

Q. Because they did not give a satisfactory explanation?—A. Yes.

In only about 2 per cent of the total non-voters is the reason given for failure to vote unacceptable, and in these cases the defaulters are so informed and given the option of having their cases dealt with by the Commonwealth Electoral Officer or alternatively by the ordinary courts. In most instances the delinquents agree to the departmental adjudication and are dealt with accordingly, a fine of 10/- generally being imposed, provided that where a penalty would involve a real hardship it is waived altogether, and a warning issued. Where the offenders do not agree to departmental judgment their cases are taken to the ordinary courts and dealt with before the magistrate.

A distinct advantage the administration derives from the compulsory voting provisions is " that as the result of the inquiries in respect of non-voters after an election the rolls are cleansed of a considerable number of obsolete entries which have escaped detection in the ordinary course."

By Mr. Robichaud:

Q. I thought you said a while ago 25,000 paid the fine?—A. For failing to register. The Chief Electoral Officer informs me that compulsory registration and compulsory voting had very little effect on the cost of electoral administration.

By Mr. Turgeon:

Q. Read that sentence again.—A. I may say the Chief Electoral Officer informs me that compulsory registration and compulsory voting in Australia have had very little effect on the cost of electoral administration. I suppose he means as compared with the former system. That is all the material I have sir, on compulsory voting.

By Mr. Factor:

Q. Are Australia and New Zealand the only countries that have adopted compulsory voting?—A. Only Australia; New Zealand has compulsory registration but not compulsory voting.

By Mr. Robichaud:

Q. What effect has that on the elections in New Zealand?—A. I have not that information.

By Mr. Heaps:

Q. What is the proportion of electors that vote in Great Britain?—A. I have not that information.

Q. I think they have a fairly large turnout which amounts to somewhere near 80 per cent?—A. I am sorry; I do not know.

By Hon. Mr. Stevens:

Q. Did you examine the British Columbia system?—A. Of registration?

Q. Yes, and voting, where if a man or woman does not vote he or she is stricken from the list?—A. Yes, I did. I was rather attracted by it.

Q. The members of the committee did not hear your reply; would you just inform them again?—A. The system followed in British Columbia is a system of continuous registration with a monthly revision. At an election all those who have failed to record their votes are automatically left off the list, and if they want to go on they have to make another application.

By Mr. Heaps:

Q. It is voluntary registration?—A. Voluntary registration.

Q. What percentage of the people vote there?—A. I asked that question in writing of British Columbia, but I did not obtain an answer, but I did obtain this: I received information from a very high election official that the system was not found altogether satisfactory and there was more or less a suggestion that they should revert to the system the Dominion followed prior to 1930; that is an enumeration immediately prior to an election.

By Hon. Mr. Stirling:

Q. It has this great advantage, all these people disappear from the list?—A. Yes; it would have that effect; it would have the effect of purging the list entirely.

By Mr. Turgeon:

Q. Is there a monthly registration of new names?—A. A monthly revision.

Q. They have had a system of purging the list for a number of years, but it has been amended during the last year or so by adding the monthly revision? —A. That may be so.

By the Chairman:

Q. How is that monthly revision conducted?—A. By the registrar.

By Mr. Heaps:

Q. How does the cost work out in British Columbia?—A. I have not that information.

The CHAIRMAN: Are there any other questions?

By Hon. Mr. Stirling:

Q. Under the compulsory voting in Australia there must have been a very minute sum collected after an election for those who failed to vote?—A. Yes, very little.

Q. Have you got that figure?—A. No.

Hon. Mr. STEVENS: At the 2 per cent referred to, it would run about 16,000.

The CHAIRMAN: Are there any other questions to be asked of Mr. Butcher this morning? I might state to the committee that Mr. MacNicol last evening informed me that he was going to be away to-day, but that he has a lot of material that he has gathered together over the past several years in connection with compulsory registration and compulsory voting, and he would be glad of the opportunity of giving the committee the result of his investigations.

Hon. Mr. STEVENS: I should like to suggest, Mr. Chairman, that we should let this question rest for the time being; and if Mr. Butcher would make those inquiries that I have suggested from the Bureau of Statistics, we might have a subsequent meeting and a further report from him. Then Mr. MacNicol or any one else who has anything further to say could be heard.

The CHAIRMAN: Under those circumstances I think we had better just adjourn at the call of the chair.

The committee adjourned at 12.30 p.m. to meet again at the call of the chair.

HOUSE OF COMMONS, ROOM 429.

June 5, 1936.

The Special committee appointed to study the Dominion Elections Act 1934 and the amendments thereto and the Dominion Franchise Act 1934, and amendments thereto, met at 11 a.m., Mr. Bothwell the chairman presided.

The CHAIRMAN: At the last meeting of the committee Mr. Butcher was asked certain questions, and since then he has made further investigation and is prepared to give us the information he has obtained on that investigation this morning.

Mr. HARRY BUTCHER, recalled.

Mr. Chairman, it will be remembered that at page 226 of the evidence I made the statement that the Chief Electoral officer of Australia had informed me that in an election year the cost in that country is approximately £200,000, and in the year in which no election is held the cost is approximately £100,000. At that time Mr. Heaps asked the question as to the value of the Australian pound. I had estimated $5 to the pound. He said he thought that was incorrect, and in that he was right. I went to the Bank of Montreal and asked them what a thousand pounds of Australian money was worth in Canadian funds on the 29th May, and I was informed that the Australian pound was worth approximately $4, and not $5, as I had estimated in the figures I gave to the committee at the last meeting. Therefore in an election year the cost would be $800,000, and in a year in which no election is held it would be $400,000; so that if we multiply $400,000 by three, it would come to $1,200,000, and one year at $800,000 would give us, when we combined the two, a cost of $2,000,000 for the four years. A further question was raised as to whether that sum included the cost of taking the census. I have very carefully read the letter of the Chief Electoral Officer many times since that committee meeting, and I cannot believe that it does include that cost. I shall read again what he said in the letter:—

> The Chief Electoral Officer, Commonwealth electoral officers, and divisional returning officers, together with their requisite staffs etc., are permanent officers of the Commonwealth public service, and give their full time to such official duties as are imposed upon them. (These duties include mainly registration of electors and the maintenance of the rolls, conduct of parliamentary and other elections and referanda, taking of census, etc.)

Now, there is no doubt that all these duties are imposed upon the election officers who are permanent, but I cannot get away from what he says in the closing paragraph of his letter, which is as follows:—

> It may however serve your purposes to know that the full cost of the Commonwealth Electoral administration (including salaries and all other expenditure involved in the administration of the Commonwealth electoral laws) is approximately as follows.

Now, I have the Commonwealth Electoral laws here and there is no reference whatsoever to the taking of census, so I presume there would be extra costs. But in order to clear that matter up I have already written to the Chief Electoral Officer and asked him if he will give me information upon that point. We shall not receive the reply in time to present to the committee this session.

By Hon. Mr. Stevens:

Q. Would it not appear this way, that these permanent officials, call them electoral officials if you like, are the nucleus of the staff for the taking of a census?—A. I agree with that.

Q. In other words Mr. Coats here at Ottawa has a substantial staff who are there all the time and who during the year of taking the census are the spearhead of that work, but who after the census is over, have other full time work to do in regard to the working out of the accumulated data and looking after the reports, election analysis and all the rest of it. I would imagine that the electoral officer or officials are the permanent staff who are used at the time of the census taking?—A. I quite agree with that.

Q. Supplemented of course, by the additional staff?—A. That is right. These permanent officials are 81 in number, the Chief Electoral Officer, one Commonwealth electoral officer in each state and 74 returning officers. They are the permanent officials, but besides that, there would be a small army employed in taking the actual census. That is my point. I am wondering if the payment for those services is included in the cost.

Q. No, only the permanent staff.

Mr. HEAPS: I was going to ask that in considering your information you add something about the British system of getting the election lists together. You know, I presume, that in Great Britain the officials of the municipal bodies act as the officials in the election.

WITNESS: Yes, that is correct.

Mr. HEAPS: And they are the ones that have done it for a great many years. What arrangements are made in Great Britain between the Chief Electoral officer or a similar appointee there and the local officials for carrying on an election?

WITNESS: May I conclude with this statement first?

Mr. HEAPS: Yes.

WITNESS: I shall refer again to the cost of the four year parliament in Australia. The cost of the election and the legislation of voters would be around $2,000,000. The cost of taking the decennial census in Canada 1931, was $1,671,384.

Mr. TURGEON: The census?

WITNESS: The census of 1931. The quinquennial census of 1926 which, as every member probably knows, applies only to the three prairie provinces, was $367,205. The total sum thus spent by Canada in taking the census in the ten years amounted to $2,039,089. I have tried to find some common factors by which we could compare the cost in Australia and Canada, but with the little information we have, I have found it impossible to do so intelligently, and so I am going to ask the committee not to ask me to make a comparison at this time; meanwhile I am going to obtain all the information I can possibly get from Australia.

Hon. Mr. STEVENS: Before you dispose of this matter, I should say that it is virtually impossible, then, to make a fair and accurate comparison, and we must leave the matter there at the present time. I think we should understand that. I appreciate Mr. Butcher's effort in this respect. I desire to say I am perfectly satisfied that Mr. Butcher has done everything that is reasonably possible to do in an effort to obtain this information.

WITNESS: Mr. Heaps asked about spoiled ballots, and if I could obtain some information from other sources.

Mr. HEAPS: Yes.

WITNESS: I shall deal with that before dealing with the English situation. I was able to get the information for which you asked. I found that with regard to the election to the house of representatives in 1919, the number of spoiled ballots was 3·46 per cent of the votes cast.

By Mr. Heaps:

Q. How do they define spoiled ballots in Australia?—A. They call any informal ballot a spoiled ballot; they do not distinguish between them; it is a ballot that is not counted for any reason whatsoever.

Q. Even if the ballot is not used?—A. If it is not counted it is an informal ballot, and that is the ballot referred to here. In 1919 the spoiled ballots were 3·46 of the whole.

By Mr. MacNicol:

Q. For the House— —A. The House of Representatives.

Q. Not the Senate?—A. The House of Representatives. The percentage of informal ballots in 1922 was 4·51. In 1925, the first year of the compulsory voting, the percentage of spoiled ballots was 2·36. In 1928 the percentage was 4·90; in 1929 2·65 per cent; in 1931 3·48 per cent, and in 1934, 3·44 per cent.

Now, with regard to the Senate. Elections were held in the same years and they employ a system of proportional representation. In 1919 the percentage of spoiled ballots was 8·61; in 1922, 9·44; in 1925, 6·96; in 1928, 9·88—I took these figures from the official figures in the Australian General Reports in the library—in 1931, 9·60.

Q. There was no election in 1929?—A. I have no record of one. In 1931, as I have already stated, the number of spoiled ballots was 9·60, and in 1934, 11·35.

By Mr. Glen:

Q. It was getting worse?—A. They have the most extraordinary system of proportional representation there, and that should be explained.

Mr. MACNICOL: It is a cross between the alternative vote and proportional representation.

Mr. HEAPS: The interesting part of these figures is the fact that although you have compulsory voting in Australia the number of spoiled ballots has not really increased and everybody votes.

WITNESS: 95 per cent.

Mr. HEAPS: What I mean is although a large number of people voted the per centage of spoiled ballots has not increased.

Mr. MACNICOL: A large proportion of the spoiled ballots was made by conscientious objectors who spoiled their ballots deliberately by marking for everybody.

Mr. HEAPS: I do not think that is quite correct because in 1919 when they did not have compulsory voting, they had the same percentage of spoiled ballots.

WITNESS: 3·46. With regard to the rejected ballots in Canada, in 1930 the rejected ballots amounted to ·61 per cent in 1935, the spoiled ballots amounted to 1·03 per cent.

By Mr. MacNicol:

Q. The average in Canada for the 245 ridings is less than 200?—A. I did not have that figure, but I know it is very, very small.

Mr. HEAPS: Mr. Chairman, do you remember the percentage of spoiled ballots at the Winnipeg civic elections?

The CHAIRMAN: No, I do not.

WITNESS: It was rather over 2 per cent, if my memory serves me correctly.

By Mr. MacNicol:

Q. What I was trying to point out in reference to the spoiled ballots is this: While the percentage is much lower in Canada than it is in Australia, more people vote in Australia, and in addition to the large number who vote, there are those who conscientiously spoil their ballots, and that number is larger per riding in Australia than in Canada. However, I do not claim that is any reflection on compulsory voting.

Mr. HEAPS: I was pointing out that the view taken by Mr. MacNicol is not correct, because in 1919 when they did not have compulsory voting the percentage of spoiled ballots was greater than they are under compulsory voting.

The CHAIRMAN: Mr. Hooper gave the following information in answer to Mr. Heaps:—

> The percentage of rejected ballots they were unable to find for me in the previous election, the first figure of rejected ballots was in 1920, when it was 1·72; in 1922 the percentage dropped to 1·66; in 1927 the figures are not conclusive. The spoiled ballots and the rejected ones got mixed and could never be separated. In 1932 the percentage of spoiled ballots dropped to 1·44.

Mr. MACNICOL: The greatest number of spoiled ballots was in 1928 under compulsory voting, when the percentage was 4·90.

WITNESS: That is in my report.

The CHAIRMAN: We were dealing, Mr. MacNicol, with compulsory voting and compulsory registration of voters. That is the subject that was under discussion at the last meeting and Mr. Butcher was asked to obtain certain additional information regarding spoiled ballots and so on.

Hon. Mr. STEVENS: That is the report.

Mr. MACNICOL: I can give little additional information.

The CHAIRMAN: That is all you have on compulsory voting.

Hon. Mr. STEVENS: Mr. MacNicol was not here last day.

Mr. HEAPS: May I ask if any other countries other than Australia have compulsory voting?

By the Chairman:

Q. Do you know of any other country where they have compulsory voting? —A. I have not been able to discover any other countries.

Mr. MACNICOL: Compulsory voting commenced in 1915 in the state election Queensland, in federal election in 1924.

By Mr. Heaps:

Q. Is there any indication so far as Australia is concerned of their going back?—A. No; according to the statement of the chief electoral officer they are satisfied.

Q. Have you worked out any plan which would give an indication as to what it would cost if we had compulsory voting in Canada, compared with the present system?—A. I do not see how it could be done, because it would depend on the system employed. For instance, in Australia, they use policemen, postmasters, and all kinds of public officials.

Hon. Mr. STEVENS: Mail carriers.

The CHAIRMAN: Mr. Butcher has already stated that he has asked for additional information from Australia from which he can work out factors to aid him in making a comparison, and from the information he will be able to give us the figures.

[Mr. Harry Butcher.]

Mr. HEAPS: In my view the cost is no more for compulsory voting than it costs at the present time.

By the Chairman:

Q. It is your intention to do that?—A. Yes, it is my intention to do that, to try to find out if possible the probable cost in Canada if we adopted the Australian system in its entirety.

Mr. HEAPS: As compared with the cost to-day.

WITNESS: That is my idea.

Hon. Mr. STEVENS: Mr. MacNicol made a remark a moment ago which I think would be well to keep in mind, that it would cost Canada less. One of the points in the minds of many of us is the heavy cost that parties and individuals are put to in elections in Canada, entirely apart from the public cost. If we could devise some system which would be slightly perhaps more expensive publicly, but which would eliminate a lot of what I would term the curse of private cost and expenditure, it is well worth consideration by Mr. Butcher and the committee. I should like to ask Mr. Butcher to keep that point in mind when he is making his comparison.

Mr. HEAPS: I can see where compulsory voting would have a great many advantages, not only to the candidate but also in a general way in regard to the whole question of election. It would do away with a great many things that most of us consider objectionable insofar as the elections are concerned, and we would not have the kind of appeal that is put to the electors by the different parties to-day. While I am not committing myself at the moment to the general question of compulsory voting, I am inclined to favour this phase of it.

Mr. TURGEON: While I am not saying at the moment whether I am for or against compulsory voting, as I am not sure, I should like to mention one thing that has not been emphasized here. There have been remarks made about reducing the cost to the candidates. Now I suppose everybody here is a potential candidate for the next election. I am just as anxious to have the cost of candidates reduced as anybody in this room, but I do want to point out the danger in trying to eliminate the cost to candidates, political campaign funds and all other phases of the situation, which will likely arise. There is a danger of giving the government control over parties. I am just mentioning this as a word of caution.

Mr. HEAPS: That would not happen under a scheme of compulsory voting.

Mr. TURGEON: I am not saying it would, but the question of the cost to candidates has been interjected into the question.

Mr. HEAPS: I do not think we should ask the candidates to pay for anything.

Mr. TURGEON: I am throwing it out as a word of caution. You may create a condition in Canada that would approach conditions in other countries where governments now control political parties through control of political machinery. I am not saying that we should not continue to study compulsory voting; we should. I am not saying that compulsory voting would lead to that conclusion, but there is that danger existing in every democratic country to-day, the danger of having the control of the political machinery and political parties in the hands of the government. Following that just as sure as anything goes the fear of expressing your political views and opinions. We may possibly reach that in our endeavour to lessen the cost to candidates. I am throwing that out as a word of warning. There may not be much in it, but I am giving it for what it is worth.

Mr. HEAPS: I do not think that Mr. Turgeon's point is so important, because I have observed in the few years that I have been here when a government in power redistributes the seats, as we know happens, according to their own view, it generally goes against them when the election comes round.

Mr. TURGEON: What I am getting at is this: We are naturally inclined to get away from evils. That is a natural human attribute. Sometimes in trying to get away from one evil or one class of evils, unwittingly or unconsciously we land in other evils that are greater than those we are trying to avoid. While election costs, campaign funds and all those things are bad, and the cost bears heavily on every person who is a candidate, we might get into a greater danger than if we left things as they are.

The CHAIRMAN: I think that is a good suggestion to throw out, and one to which every member will give serious consideration. Mr. MacNicol has some additional information, and I think he should give it now and we shall continue our discussion afterward.

Mr. MACNICOL: I believe we should get down to the origin of those two systems. These two systems, compulsory enrolment and compulsory voting, commenced in Queensland in 1915. Compulsory enrolment was the result of the failure of the Australians themselves to enrol, and compulsory voting was the result of the failure of the Australians themselves to vote. Just why they had so much trouble in Australia with enrolment, and why the public refused to vote, I don't know; but as a result of those two failures, Queensland adopted compulsory enrolment and at the same time compulsory voting.

By the Chairman:

Q. Have you the percentage?—A. Yes; I shall give them all. In the year 1915 in the Australian Senate and the Australian House of Representatives—

Q. You say it started in Queensland in 1915?—A. 1915. I was going to give the voting in the years previous to that. In 1903 the voting for the House of Representatives in Australia was 50·27, and the Senate 46·86; in 1906, for the House of Representatives 51·48, the Senate 50·21. In 1910 the percentage for the House of Representatives was 62·80, and the Senate 62·16; in 1913, for the House of Representatives 73·49, the Senate 73·66. In 1914, the first year of the war, the number voting for the House of Representatives was 73·53, and the Senate 72·64. In 1917, also a war year, the number voting for the House of Representatives was 78·30, and the Senate 77·69. In 1919 the number was 71·59 for the House of Representatives, and 71·33 for the Senate. Then following the war they reverted to where they had been prior to the war years. In 1922 the number voting for the House was 59·36, and 57·95 for the Senate. The second year after that, 1924, the Commonwealth adopted the Queensland plan of compulsory voting and compulsory enrolment.

May I point out that whereas the whole of Australia voted 59·36 for the House and 57·95 for the Senate in the 1922 elections in Queensland in that same election the vote for the senate—I have not got the vote for the house, but I assume it would be about the same—was 82·66. I now give the figures in the other states for the same year as regards the senate. In those states individually the vote for the senate was as follows:—

Tasmania	45·63
West Australia	46·71
South Australia	53·23
New South Wales	54·49
Victoria	56·23

After those results, the Commonwealth itself decided to have the Queensland system of compulsory enrolment and compulsory voting. I shall read from the debates in the Australian house for 1924, and I think the remarks of Senator Payne, who was introducing the compulsory voting bill, might be of interest:—

> We should, I think, recognize that the natural corollory to compulsory enrolment is compulsory voting...

The reason he said that was because there was some opinion in the house that if only compulsory enrolment were introduced that would not be stepping up too far at once.

The CHAIRMAN: Is that the situation in New Zealand?

Mr. MACNICOL: No, this is in Australia. I do not think they have these things in New Zealand. New Zealand has not adopted much if any of the Australian systems of voting or methods of conducting elections. I shall read again what Senator Payne said:—

> We should, I think, recognize that the natural corollory to compulsory enrolment is compulsory voting. Compulsory enrolment has failed to cause a great number of electors to take an interest in public questions...

In other words, the enrolment itself did not bring about the results they hoped for and, therefore, Senator Payne advocated adopting both:—

> ...Compulsory enrolment enables our rolls to be as complete as possible but there can be no advantage to the country if the electors who are compulsorily enrolled do not exercise their right on election day.

Now, in addition to Federal Australia, I think we should have something on what the states in Australia did with reference to compulsory voting and compulsory enrolment. As I said, Queensland adopted it in 1915 and the Australian house in 1924. Victoria was the next state to adopt it, in 1927. Tasmania followed in 1928, and New South Wales followed in 1930. At the moment a bill is going through the Victoria State senate—it is perhaps through now—to enforce compulsory voting for State senate elections in Victoria as well as in the State house elections.

Hon. Mr. STEVENS: That is the state elections?

Mr. MACNICOL: As a matter of fact, they have it for the house elections, and now the senate is going to follow suit. One of the arguments put up by one of the advocates for compulsory voting for the senate in Victoria was contained in these figures. He said that in 1928 the electorate of Victoria voting in the state senate elections, voted only 32 per cent; in 1931, 39 per cent and in 1934, 29½ per cent; so that the committee will understand that Australia, apparently, had some very strong reason for adopting both of these compulsory systems.

Mr. Butcher gave us information in reference to 1925, 1928 and 1929 for both the Federal house and senate. By the way, Mr. Butcher, did you give figures for 1922?

WITNESS: No. Neither for the Senate nor the House of Representatives.

Hon. Mr. STIRLING: Was there any suggestion made to explain the extraordinarily low percentage?

Mr. MACNICOL: None other than apathy.

Mr. HEAPS: What was the percentage in Australia about the same time?

Mr. MACNICOL: I am going to give that later on. In Australia, in the Federal election prior to 1925—that is the election of 1922, which was the last election held without either compulsory enrolment or compulsory voting—the percentage voting for the house was 59.36 and for the senate 57.95. Continuing

a little further, in the states themselves, before the installation of compulsory voting and compulsory enrolment in 1930, the last election without either of these principles was in 1927. In the state election in New South Wales in 1927 without compulsory enrolment or voting the vote was—82·54. In New South Wales they have had very bitter contests, principally between labour and liberals, and the vote has been fairly substantial in that state. But in the 1930 N.S.W. election after adopting compulsory legislation 94·94 voted. In Victoria, for the last election prior to adopting for state elections either of these compulsory systems i.e. the election of 1924 the vote was as follows: 59·24; 1927,—the first election after—the vote was 91·76; 1929,—the second election after—93·72.

Queensland, which adopted these principles first in 1915, held their last election without either compulsory enrolment or compulsory voting in 1912, and in that election they voted 75·52 per cent. In the case of the first election after compulsory enrolment and compulsory voting, 1915, the vote was 88·14 per cent. In 1918 the vote was 80·27 per cent; and in 1929, the vote was 90·52 per cent.

In Tasmania for the last election without either compulsory enrolment or compulsory voting, 1925, the vote was 67·25 per cent for the state election; and in the first election after 1928, the vote was 81·90 per cent.

With regard to South Australia, they have not yet as far as I know adopted either compulsory voting or compulsory enrolment; neither have they adopted either in West Australia, and the voting for those two states in two recent elections is as follows: South Australia (not compulsory voting or compulsory enrolment) 1927, 77·43 per cent; 1930, 71·36 per cent: West Australia (not compulsory voting or compulsory enrolment) 1927, 73·42 per cent; 1930, 74·44 per cent. In reference again to the Federal elections I have broken up some of the ridings as to the highest and lowest and as to the percentages of male and female voting under compulsory voting.

In New South Wales, for the election of 1929, the total average vote was 94·82 per cent for the whole state. If we take one riding alone, that of East Sydney, which had the lowest vote, the figure is 89·10 per cent; Barton, which had the highest vote, shows a figure of 97·33 per cent.

I have broken up the lowest vote, East Sydney, into males and females, showing 89·41 of males and 88·80 of females who voted.

I am trying to point out, Mr. Chairman, that while the vote is very high, it is not possible to fully enforce the penalty clauses of the act, and the penalty clauses are not enforced to anything like the degree one would expect. As I said, the highest vote was in Barton, and there the males voted 97·92 per cent and the females 96·78 per cent.

In Queensland, in the same election, the average vote was 94·61 per cent; the lowest vote in the riding was in Kennedy—89·89 per cent, and the highest vote was in Darling Towns—97·24 per cent.

In West Australia the average vote throughout the state in the same election was 89·03. Now, as I intimated a moment ago these elections I am now referring to are federal elections and not state elections.

In West Australia the total average vote was 89·03. The lowest vote was in the riding of Kalgoorlie and was 89·59 per cent, and the highest was at Freemantle and was 91·01 per cent.

In South Australia the average vote was 94·89 per cent; the lowest vote in the riding was at Grey and was 92·66 per cent; the highest vote was in Angus and was 96·32 per cent.

In Victoria the average vote was 95·76 per cent; lowest vote, Fawkner, 93·53 per cent; highest vote Maribyrnong, 97·74.

In Tasmania the average vote for the state was 95·25 per cent; lowest vote was in Wilmot, 94·49 per cent; highest vote was in the riding of Dennison and was 95·90 per cent.

The inference from this evidence is that under compulsory voting the vote is very high. The spoiled ballots on the other hand are substantially higher than they are here. The average of spoiled ballots in the 1929 election—that is the average per riding in New South Wales—was 1,326. In Queensland the average per riding in the same election was 1,820. In West Australia the average was 813 per riding.

The CHAIRMAN: Have you a comparison with Canada?

Mr. MACNICOL: In Canada the average for our 245 ridings is less than 200 per riding.

The CHAIRMAN: What is the comparison as regards size of ridings?

Mr. MACNICOL: In Australia they keep to their average nearer than we do in Canada. They do not have a situation in Australia like we do in Canada where we have the riding of Nipissing with 90,000 population and where we have the riding of Glengarry with, I believe, about 18,000. In Australia they have more uniformity than we have here.

Now, Mr. Heaps asked a question with regard to Canada. Personally, I am pleased with the way Canadians have voted in the past, taking everything into consideration—the size of our ridings and our difficulties as to climate—because in Australia they are not subject, particularly in the winter time, to our extremes. We have had late fall elections in December, and in Australia they are not subject to the same extremes of temperature as we are here. Under those circumstances our Canadian vote has been a very substantial one. I think, perhaps, it will be just as well if we considered the elections of 1925, 1926, 1930 and 1935.

Mr. HEAPS: Have you not got some a little earlier than that?

Mr. MACNICOL: Would you rather I kept down to 1935, 1930, 1926 and 1925. It will not take long.

The CHAIRMAN: I think we should have 1925.

Mr. MACNICOL: In the Canadian general election for the year 1925 the Ontario vote was: 1925, 65 per cent; 1926, 64 per cent; 1930, 69 per cent; 1935, 74 per cent of the names on the lists.

Quebec: 1925, 72 per cent; 1926, 71 per cent; 1930, 76 per cent; 1935, 74 per cent.

Nova Scotia: 1925, 70 per cent; 1926, 72 per cent; 1930, 83 per cent; 1935, 76 per cent.

New Brunswick: 1925, 61 per cent; 1926, 68 per cent; 1930, 78 per cent; 1935, 77 per cent.

Manitoba: 1925, 68 per cent; 1926, 77 per cent; 1930, 72 per cent; 1935, 75 per cent.

British Columbia: 1925, 75 per cent; 1926, 71 per cent; 1930, 73 per cent; 1935, 76 per cent.

Prince Edward Island: 1925, 76 per cent; 1926, 84 per cent; 1930, 89 per cent; 1935, 80 per cent.

Saskatchewan: 1925, 57 per cent; 1926, 70 per cent; 1930, 71 per cent; 1935, 77 per cent.

Alberta: 1925, 57 per cent; 1926, 57 per cent; 1930, 66 per cent, and 1935, 65 per cent.

That, by the way, is the province which votes the lowest in Canada.

Yukon: 1925, 78 per cent; 1926, 68 per cent; 1930, 76 per cent; 1935, 75 per cent.

The CHAIRMAN: I might direct your attention to the fact that in the 1925 election Saskatchewan had very bad weather. I do not know how it was in other provinces.

Mr. MacNicol: Yes. Alberta would be in the same position, whereas British Columbia must have had good weather to have 75 per cent.

Hon. Mr. Stevens: British Columbia always has good weather.

Mr. MacNicol: Now, I will review a few of the ridings in connection with the election of 1935. In Ontario the riding which voted highest was Leeds with 84 per cent and the lowest was Cochrane with 58 per cent. In Quebec the riding that voted highest was Levis with 87 per cent, and the lowest was Cartier with 52 per cent. In Nova Scotia for the same year the highest percentage was 83 and the lowest 71; in New Brunswick, the highest percentage was 80 and the lowest 68; in Manitoba the highest percentage was 82 and the lowest 66.

Mr. Heaps: What city was highest there?

Mr. MacNicol: I did not note that down.

In British Columbia the highest was 82 per cent and the lowest 69 per cent; in Prince Edward Island the highest was 84 per cent and the lowest 78 per cent; in Saskatchewan the highest was 82 per cent and the lowest 65 per cent; and in Alberta the highest was 71 per cent and the lowest 52 per cent.

In Leeds in the same election one poll voted over 98 per cent of the vote.

Mr. Heaps: There was nothing over 100 per cent there, was there?

Mr. MacNicol: Many of the polling divisions voted over 90 per cent. In Levis in the same election, 1935, one poll voted 93 per cent, and many voted over 90 per cent. I might say that that applied in many ridings. In Quebec, Montmorency, in that election, one poll voted 100 per cent and many over 90 per cent. In the same election one poll in Weyburn, Saskatchewan, voted 96 per cent. The average of spoiled ballots in the election of 1935 per riding in Canada was 187.

The Chairman: By the way, are those figures for the different ridings, showing the percentage of voters, published in the chief electoral officer's report?

Mr. MacNicol: In 1935, yes. In 1930, I believe, you would have to work them out yourself. That may not be so in regard to the percentage per province, but it is as to percentage per riding. I believe, after a long and exhaustive study of this subject, that while our voting in Canada is exceptionally high in the circumstances it would be higher were it not for the fact that in the cities the ridings are large in regard to the number on the list and the vote is often small. For instance, in the riding of South Toronto in the election of 1930 only 42 per cent of the electorate voted, and in many of the elections in Montreal and Toronto the vote in some of the ridings is considerably less than 50 per cent; whereas out in the country, as I intimated a moment ago, in a great number of the ridings from 85 to 90 per cent of the number on the list voted.

Mr. Heaps: That indicates that in those ridings in Toronto, and in other ridings as well, where there was a small vote the people went out to register.

Mr. MacNicol: By enumeration.

Mr. Heaps: You referred to 1925. You know they went out to register but they did not go to cast their ballot.

Mr. MacNicol: Yes. I imagine it happened this way, that the parties themselves would take a whole batch of names to the judge or the chief returning officers and register them.

Mr. Heaps: I do not think that was permissible in 1925.

Mr. Cameron: They did not have to go and register in 1925.

Mr. MacNicol: Well, somebody could take the names and register for them.

Mr. Castonguay: In 1925 they used the provincial list as the basis.

Mr. MacNicol: My reaction to this subject is that it is necessary to have as large a percentage of the electorate vote as is possible. If the people do not

take an interest in the election it tends to lower our whole system of government, so that compulsory enrolment is a step in the right direction in my humble opinion. Now, as to whether the system in Australia is better than ours, I am not prepared to say. For instance, in our last two elections we have had what you might call more or less compulsory registration, to the extent that government representatives, two per poll, looked after registration. I know that was the situation in the cities particularly, but I am not familiar with it outside.

In Australia, of course, compulsory enrolment is under the government, and all the officials—the police, clerks of the courts and other public officials—are part of the staff that do the enrolling. They enrol yearly, and then they enrol every three months, so that at the end of the year they really have their lists covered four times—December 31st, April 1st, July 1st, and I think, October 1st.

The CHAIRMAN: Every three months.

Mr. MACNICOL: Yes. Every three months. And they keep the lists up to date. Mr. Butcher said something about the lists being in shape. They are kept in shape fairly accurately, because if a man or a woman dies the registrar of vital statistics has to report to the chief returning officer that Mr. or Mrs. so and so, over 21 years of age, has passed away. If a man moves from one sub-division or another he is compelled by law, after he is there for one month, to proceed to the registrar and re-register in that new division. The registrars of all vital statistics including marriages must at once notify the returning officer.

The CHAIRMAN: You have made no comparison as Mr. Butcher did of figures as far as cost is concerned?

Mr. MACNICOL: No. I am convinced that compulsory voting reduces the cost. I am very much afraid that in Canada an election to the House of Commons might develop into a matter of rich, richer and richest. I am now speaking of compulsory voting. If some method were not taken to induce the voters to vote, the elections might develop into a matter of rich, richer and richest.

Mr. HEAPS: Are you also in favour of compulsory registration?

Mr. MACNICOL: My mind is still open, Mr. Chairman. I believe that compulsory enrolment would be a step in the right direction, but I would not want to say to the committee at the moment that I endorse it 100 per cent, although I believe I am leaning in that direction.

As to compulsory voting, I believe that it will reduce the cost of elections. If a voter is compelled to go out to vote, then a larger number vote than otherwise would, unless the candidates urge them out as we have to do now in this country. It will be noted in the figures I gave that in Australia, even under compulsory voting, in some ridings the vote is less than 90 per cent, but in a general way their voting is very high, averaging as I pointed out a moment ago in places around 94 to 95 per cent.

Mr. HEAPS: Have you found in your research work that our voting has always been much higher in the summer months than in the winter months?

Mr. MACNICOL: Yes.

Mr. HEAPS: Don't you think we ought to have some recommendation in our report that our elections should be held at certain times in the year?

Mr. MACNICOL: I hesitate, Mr. Chairman, to go that far because I believe that the practice in the last several general elections has resulted in the government of the day taking steps to make sure that elections are held at a time when people could go to vote. To go to the extent of stating that elections shall not be held in the months of December, January, February or March would get us more in line with the United States system where they hold their elections

for president every fourth year commencing on even numbers on the first Tuesday following the first Monday of November, and for state elections every two years on even numbers on the first Tuesday following the first Monday in November.

Hon. Mr. STIRLING: In speaking of the Canadian situation you referred to the population in the ridings. The figures you gave were all percentages of those who voted—those who were on the lists?

Mr. MACNICOL: Yes.

Hon. Mr. STIRLING: So that the Canadian figures you have been referring to really have no bearing on registration.

Mr. MACNICOL: No; only on those who are registered.

The CHAIRMAN: What you meant was that the percentage you gave in connection with Canadian elections is the percentage of the names on the list?

Mr. MACNICOL: Yes.

Hon. Mr. STIRLING: You made reference to population.

Mr. MACNICOL: Mr. Chairman, I will ask that the reporters, instead of using the words "population per riding" will use the words "number on the list" because my percentages apply to the numbers on the list per riding and not to the population per riding.

I think that is about all I can say on the subject. I want to congratulate you, Mr. Chairman, on the work that has been done, and on the exhaustiveness of the enquiry you have presided over. I am convinced that all of these things are matters of importance. I do not like the word "compulsion" in this country; but if we could get a more applicable word than "compulsion" I might be in favour of seeing the public enrolled that way. As to compulsory voting, it has a lot of merit. If we decide nothing on it today, I would strongly recommend that serious consideration be given to it later.

Hon. Mr. STEVENS: Mr. Chairman, I wish to thank Mr. MacNicol for the very exhaustive study he has given to this subject. It has involved a great deal of work, and I certainly appreciate it myself.

The CHAIRMAN: Yes. Mr. MacNicol, the members of the committee appreciate your putting these figures on the record. It is not the intention to make a definite finding in connection with either compulsory voting or compulsory registration at present. We are endeavouring to get our record as complete as possible, and we also desire to have a summary of the amendments that have been suggested to the election and franchise committee, put on the record.

Mr. HEAPS: You might make a statement to the effect that your committee has under consideration the question of compulsory registration and voting.

The CHAIRMAN: Yes.

Mr. HEAPS: Without coming to any definite conclusion.

Hon. Mr. STIRLING: It is not customary, I think, to have an index of such work as this, unless it is particularly requested. In this case I think it is most desirable, and almost necessary, that an index be compiled at this time. There have been a lot of statistical figures put on the record, and it would be impossible to refer to them unless an index was made.

The CHAIRMAN: It might be well in making our report to mention that as a recommendation.

Hon. Mr. STIRLING: That is my view.

Mr. MACNICOL: I would suggest that the committee recommend to the house the re-appointment of the same committee next year.

The CHAIRMAN: I hardly think we can go that far.

Mr. HEAPS: You may recommend the appointment of a committee next year.

The CHAIRMAN: Yes.

Mr. MACNICOL: I believe that last year Mr. Lapointe, Mr. Kennedy and myself were on the committee, and the final report suggested leaving us on the committee—

The CHAIRMAN: The 1929 report?

Mr. MACNICOL: 1932, I believe.

Hon. Mr. STIRLING: I was on a committee along with Mr. Garland, Mr. Neill, and others.

Hon. Mr. STEVENS: The recommendation could be made something along this line, Mr. Chairman: Your committee recommends that it have the opportunity for further study at the next session. The inference you would leave is that the same committee should be appointed, or it will be desirable to have them continue their study.

The CHAIRMAN: The clerk of the committee has drawn my attention to paragraph 667 of Beauchesne's Parliamentary Rules and Forms, which is entirely in accord with your suggestion. The paragraph reads:—

> When a committee have not completed their enquiries before the end of the session, they report the fact to the house together with any evidence which they may have taken. In their report they usually recommend the re-appointment of the committee in the next session. This course has usually been followed, and the evidence taken in the previous session has been referred to the newly appointed committee.

Hon. Mr. STEVENS: That is my recollection of the fact.

The CHAIRMAN: Would it be agreeable to the committee to have the summary of the suggested amendments given to Mr. Butcher? He has synopsized the suggestions and I do not think it would take very long to put them on the record.

Mr. HARRY BUTCHER, recalled.

Mr. Chairman, many suggestions have already been referred to the committee. Some of them were ordered to stand. Those that were ordered to stand were:—

That a candidate's election expenses should be limited by law to a fixed amount per head of the electors in the constituency.

That election day should be a public holiday, or at least a half holiday.

That contributions from powerful corporations should be limited in amount, and that there should be publication of all subscriptions received.

That lists in rural constituencies and in rural polls in urban constituencies should not be closed.

That young people coming of age prior to day of election and otherwise qualified, should be permitted to vote on production of birth certificate if vouched for by a resident elector.

That the method of transferring names from one list of electors to another should be simplified.

That publications of election returns throughout Canada should be synchronized.

That an independent commission should be set up to determine new boundaries at the next redistribution.

That there should be polls in hospitals for patients and staffs.

That public buildings should be used wherever possible for polling booths.

That all lists of electors should be revised up to two weeks before an election.

That registrars should have the right to delete names of deceased electors on production of death certificate and on being satisfied as to the identity of the deceased with a person whose name is on the list.

That there should be two enumerators employed in preparation of lists in rural polls as well as in urban.

The following are the suggestions that are not as yet considered:—

DOMINION ELECTIONS ACT

(1) With reference to Election Campaigns:—

That it should be made illegal to publish any new pamphlets on election literature after eight days prior to polling days.

(2) Conduct of Elections—General:—

That provision should be made for Returning Officers to pay Deputy Returning Officers, Poll Clerks, Constables and owners of polling places for their services within a few days after the election.

By Mr. MacNicol:

Q. These are not your recommendations?—A. No, they are the recommendations of members of parliament and others.

That Returning Officers should be required to instruct all Deputy Returning Officers to phone or wire returns at the close of the poll at Government expense.

That Returning Officers on polling day should give information to candidates and to the press at reasonable intervals by chart or otherwise.

That the printed list of electors in each urban poll should be sent by mail to each elector within that poll.

That the Returning Officer should be authorized to remove any Deputy Returning Officer or Poll Clerk at any time before the close of the poll on polling day.

That the Act should be amended so as to require the candidates to apply at least two days in advance of polling day to transfer certificates for their agents.

That instead of an advance poll being authorized only for a given area in a rural electoral district it should be established for the whole electoral district.

That advance poll certificates should not be issued after nine p.m. on the Saturday preceding polling day. That the Election Clerk be authorized to issue transfer certificates.

That the description of the boundaries of the polling divisions and the location of the polling stations should be published before nomination day.

That there should be a more detailed and exact definition given to the description " commercial traveller".

That a very clear definition of spoilt and rejected ballots should be given in the Act; also in the various forms and instructions.

(3) Conduct of Election on Polling Day:—

That the Deputy Returning Officer should not be called upon to initial ballots: The use of an embossed stamp would be preferable.

That provision should be made at the public expense for a scrutineer for each candidate at each poll.

That every elector should be supplied with an identification card and should not be permitted to vote unless he produces that card at the poll and satisfies the Election Officials that he is the person referred to in that card.

That all agents of candidates at a poll should be qualified electors in the electoral district.

That provision should be made whereby an individual producing an enumerators' slip showing that his application has been accepted should be permitted to vote, even if his name has been omitted from the final list of electors.

That it should be made definitely legal for candidates' agents to absent themselves at will from the polling station.

That no entry should be made in the poll book until it has been ascertained that the name of the elector is entered on the official list of electors.

That whenever there are no candidates' agents in attendance at the polling station at the close of the poll the presence of one elector should be sufficient instead of three as at present required.

DOMINION FRANCHISE ACT

(Preparation and Revision of the List of Electors)

That the Franchise Act should be repealed and the Franchise provisions embodied in the Elections Act.

That a qualified elector should be permitted to have his name placed on the list or removed therefrom on application to the nearest Postmaster.

That Registrars of Electors should be required to receive applications for registration and correction of names at all times at their permanent addresses.

That Courts of Revision should be held monthly.

That Registrars of Vital Statistics should be required to forward records of deaths of persons over twenty-one years of age with full particulars to the Registrars of Electors of the Electoral District in which the deceased resided.

That when relatives of deceased persons advise Registrars of Electors of such deaths this should be sufficient authority for the Registrar of Electors to delete such names from his list.

By the Chairman:

Q. In that letter there was nothing indicating what relatives they are?—A. No, nothing at all.

That Registrars of Electors should have the right to initiate objections when satisfied that objections should be taken to any names on the list.

That copy of the latest list should be exhibited near the Notice of Revision.

That applications for registration sent by mail and accompanied by affidavit should be sufficient to warrant the Registrar of Electors placing the applicant's name on the list.

That lists of electors should be brought up to date annually, but should not be printed except immediately before an election.

That the annual revision should be discontinued: Lists should remain open indefinitely or at any rate until three months before an election.

That applications for registration, for transfer, for corrections of names, and notices of objection should be receivable by the Registrar of Electors at any time.

In addition to these suggestions there are others made by the Chief Electoral officer, which will be found in the evidence in the report of the committee on March 5; also suggestions made by the Dominion Franchise Commissioner, which will be found in the same day's proceedings.

By Hon. Mr. Stevens:

Q. You did not mention my submission on the point system?—A. Well, Mr. Chairman, I concluded that was one of the systems of proportional representation or alternative voting that had already been before the committee.

Q. The committee did not consider it?—A. No.

The CHAIRMAN: Except in a way. It was referred to in the point system that is used in Finland.

WITNESS: Yes, I referred to it there.

Hon. Mr. STEVENS: It has never been considered by the committee. Each time I brought it up it was put off.

Mr. HEAPS: The point did not go home.

Hon. Mr. STEVENS: No.

WITNESS: It was referred to once.

Hon. Mr. STEVENS: I suggest it should be considered.

The CHAIRMAN: So that it will be on the record I think we might add an additional clause there to the effect that the suggestion was made by Mr. Stevens.

Hon. Mr. STEVENS: So long as that is done, that is all I am concerned about at the moment. Add it to your list.

WITNESS: Yes; the point system of voting should be considered.

The CHAIRMAN: It will not be overlooked.

Hon. Mr. STEVENS: I should like to make a suggestion and that is we should recommend in our report that the statements submitted by Mr. Butcher should be referred to him and to the electoral officer and the Chief Franchise officer for classification and study, so that when the new committee is appointed next year they will have before them those suggestions properly classified with the findings or suggestions of the officers of the Crown and Mr. Butcher; so that when we do come to consider them they can be disposed of promptly. Otherwise, if the committee had to study them *de novo,* they would find the task would be beyond the time of the committee as it is a very formidable list.

The CHAIRMAN: Yes, that is so.

Mr. MACNICOL: Before very long the government is going to bring in a new franchise act and the question will be considered as to whether or not it is desirable to continue the two officers in the ridings, the registrar and the returning officer. In Mr. Butcher's first recommendation he referred to the registrars—

The CHAIRMAN: I think possibly we might cover that by adding a statement that a computation of expenses of election and the opportunity of reducing costs of election might be considered by these officials to go into the report next year.

Hon. Mr. STEVENS: I presume that would arise out of what has transpired out of the study so far.

Mr. HEAPS: Are we to meet again this year?

The CHAIRMAN: Just to receive the report.

Mr. GLEN: Was redistribution mentioned?

WITNESS: No.

The CHAIRMAN: We mention the fact in the report that proportional representation and alternative vote should be disposed of before we consider the matter of redistribution. That is a matter that will have to come before the committee next year. That comes within the purview of our reference, but we have not devoted any time to it.

Mr. MACNICOL: I was under the impression that you were definitely recommending against proportional representation and the alternative vote.

The CHAIRMAN: Yes; we are embodying the report that we adopted on that in our final report.

Hon. Mr. STEVENS: That has been disposed of in this committee and will appear in this form in the final report.

The CHAIRMAN: Yes. As to the question of redistribution I find that the reference says:—

> That a special committee . . . be appointed to study the Dominion Elections Act, 1934, and amendments thereto, and the Franchise Act, 1934, and amendments thereto and to suggest to the House such amendments to the said acts as they may deem advisable, and furthermore, such committee shall study and make a report on the following subjects:—
>
> (*a*) The proportional representation system;
>
> (*b*) The alternative vote in single-member constituencies;
>
> (*c*) Compulsory registration of voters;
>
> (*d*) Compulsory voting.

It was also ordered:—

> That the said committee be instructed to study and make a report of the methods used to effect a redistribution of electoral districts in Canada and other countries, and to make suggestions to the House in connection therewith.

Mr. Butcher has made some little study on that but intends to continue that study from other countries as to the methods of redistribution used there, and will be in a position to give us a more elaborate report next year than he is at the present time.

Mr. HEAPS: I was one member of this committee that did not see eye to eye with others on this question of P.R. in the report we have made, and I feel that if the committee is turning down the suggestions in regard to P.R. and the alternative vote, there ought to be some recommendation following that in regard to redistribution of seats; because I do feel that if we are going to have what we might term a fairer representation in this house than the present system gives us, the only other way to do it would be to have a better redistribution of our seats than we have at present. There should be a closer ratio to population. It is ridiculous to have one constituency of 75,000 or 100,000 population and, in some cases, a constituency of 20,000; and you might always get in the house the same anomaly as we have at the present time.

The CHAIRMAN: I think that is in the mind of every member of the committee. If there is a reference made in our final report to the house that this question of redistribution of seats is still to be studied and dealt with in order to get a fairer representation, that is about as far as we can go.

Mr. HEAPS: I feel that that should come after the report of this committee on the question of P.R. and the alternative vote.

Hon. Mr. STEVENS: You would have that placed in the final report?

Mr. HEAPS: In the report we are now submitting to the House.

Hon. Mr. STEVENS: Yes, exactly.

The CHAIRMAN: Gentlemen, in our final report we will deal with each one of the subjects referred to us and we will state what we have done. So far as redistribution is concerned, we have not considered it yet. It has been mentioned on a few occasions, but we are not in a position to make any recommendation as to what should be done regarding redistribution.

Mr. HEAPS: My point is that you have turned down two points referred to us which, some of us thought might bring about a fairer representation in this house. Those two points have been discarded for reasons which I suppose, the members feel are just and proper.

Mr. MACNICOL: I do not think you could say that we thought; you should say that it was alleged.

Mr. HEAPS: We will not quibble over a word. The question of the redistribution of seats should appear in connection with our report in regard to P.R. and the alternative vote, and should be referred to now.

The CHAIRMAN: We will try to word that to meet the wishes of the committee. It certainly is not disposed of, and is a matter for study next year.

Mr. RICKARD: I would like to ask Mr. Butcher whether he has dealt with the point of where school-teachers and students should vote. That happened to come up in our riding. It is a question of whether they shall vote at their homes or where they teach.

WITNESS: That was one of the items in the suggestions made that instead of an advance poll being authorized only for a given area in a rural electoral district, it should be established for the whole electoral district.

Hon. Mr. STEWART: The question asked was, where will the school-teacher vote—where she teaches, or where her home is?

WITNESS: I thought it would come within that.

Mr. RICKARD: There was a great difference of opinion in our riding, and the registrar decided one way, and the matter was referred to the judge and he decided the other way. The point was whether the teacher should vote where she taught or where her home is.

The CHAIRMAN: Possibly we ought to have another clause there that the act should be clarified to show where teachers should vote in order to bring it to our attention.

Hon. Mr. STEVENS: It is merely a detail; but a note should be made of it for our future consideration.

Mr. RICKARD: I do not think it is a detail; I think it is very important.

Hon. Mr. STEVENS: Please do not misunderstand me. What I mean is that it could be noted for consideration next year as we cannot consider it this year.

The committee adjourned to meet at the call of the chair.

APPENDIX

SUGGESTIONS MADE BY MR. H. J. MCINTYRE AND SUBMITTED BY MR. J. S. TAYLOR, M.P. (*Nanaimo*)

1. A national ballot to obtain names of parties only.
2. In order to qualify as a party entitled to appear on the national ballot, a proposed party must be organized in at least five provinces (or as the law may deem reasonable).
3. The government in office would occupy the top position in all printings on the national ballot, and the remaining parties would occupy positions in order of their strength in the house.
4. Candidates not endorsed by any national party would appear at the bottom of the ballots printed for the affected constituencies.
5. Voters when voting would mark a cross opposite: Liberal, Conservative, C.C.F., Reconstruction Party, or other as they see fit, or opposite the name of an individual if he or she is their choice.
6. Subsequent to election, or prior to election, parties would choose their best men to fill the successful seats.
7. Members would be elected in ratio of votes cast. Ratio to be ascertained from the total vote cast in each province divided by the number of seats in such province. After this division is made, if a few seats remain, these should go to the parties or individuals having the next highest number of votes.

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