

Mr. TURRIFF. Might I ask my hon. friend if he did not support this very law in the local assembly when it was passed there? Is he not responsible for the law being in the condition it is?

Mr. LAKE. This law is very different from the law of the legislative assembly in many particulars.

Mr. FITZPATRICK. In what particular would it differ?

Mr. LAKE. I will point out one particular. If there is any objection taken to a vote which is offered the returning officer may put the ballot into an envelope, and later on a court is held to prove whether the man who offered that ballot is a qualified elector or not. The ballot is still sealed up in the envelope, and if it is proved that he was a qualified elector, it goes into the ballot box, and not otherwise. There are provisions of that kind which constitute a safeguard. But after all I do not see that what has been done in the legislative assembly is necessarily to be followed by this parliament, though I think we have some very good legislation in the Northwest Territories. But I want to point out that the objection taken by the hon. member for Calgary (Mr. M. S. McCarthy) is not met by the suggestion to restrict the number of certificates. A man can come from any polling division he likes and go into another polling division and swear himself in. I wish to point out further that the interpretation of that clause varies according to the sympathy of the man who is conducting the election. I remember in the year 1900 that the returning officer of the district of East Assiniboia sent out instructions the day before the election, telling his deputies that they were not to receive any of these votes, that a man could not come in from any other polling division outside his own and swear himself in without having an enumerator's certificate. Now it was quite different at the last election. I found that the election clerk had sent a notice to the different deputy returning officers telling them that they could take the oaths of people who came in to vote from other polling divisions outside of those to which they belonged. I may mention that the election clerk did not sign that notice as election clerk, but he sent it out as secretary of the central Liberal committee. He was acting in both capacities. I also found another thing in the present law, and that is that the enumerators were acting as Liberal agents. I met a man and entered into conversation with him, and he told me that the enumerator had been round, and he said, 'he asked me which way I was going to vote, and I told him that was none of his business.' I know other cases of a somewhat similar nature. I also know of a case in which the enumerator left upwards of seventy names off one of the lists he drew up, and I happen-

ed to be present when one of my friends was trying to persuade him to put some names on the list which had been left off, though they were perfectly good names and there was a good deal of difficulty. In the long run I think most of the names were put on. However, I think the Minister of Justice has admitted that this is a bad statute. We need not go much further into the reasons for that conclusion. I think it is a great pity that this system should be perpetuated for one moment longer than is necessary. I would ask the Minister of Justice whether an amendment to clause 6, something in this form, would not meet the case, instead of saying 'until the parliament of Canada otherwise provides,' simply use the words 'until the 1st day of July, 1906.' The effect of that would be that after the 1st day of July, 1906, the General Elections Law of Canada would come into force. Of course I realize what the Minister of Justice has said, that there is nothing compelling the assembly of the new provinces to pass a franchise law immediately; but I think we may take it for granted that they will, and that if this provision is in force, that would be one of the first things they would do. Putting the date the 1st of July, 1906, would allow them six months within which to hold their elections, and another six months during which they will meet and have an opportunity of framing their own franchise and election laws.

Mr. FITZPATRICK. If they did not make that law where would we be?

Mr. LAKE. I think the Dominion Election Law provides for any case where there is no list drawn up.

Mr. FITZPATRICK. I think the reasonable suggestion was that of the member for Calgary, that we should take section 6 as it is, and amend the Northwest Territories Representation Act on the lines suggested last session by the then member for Montmorency. But before I adopt that suggestion I would like to hear from the member for Jacques Cartier.

Mr. SAM. HUGHES. The Northwest Territories Representation Act works out badly in many cases. I will run over a few clauses. Section 4 describes who shall be qualified to vote. Now I do not know what the definition of an Indian is, I presume it is a treaty Indian; but there are many Indians resident in the Northwest Territories who are not treaty Indians. I do not know whether the law would allow them to vote or not, but I think they would be entitled. Section 16 provides that another day for nomination may be fixed in certain cases if, owing to accident or some cause, the elections are not held on the regular day. I may point out in this connection that the election in the riding of Mackenzie furnished an instance. It was postponed, I do not