

- (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; or
- (c) states in such form a false reason for not having voted, or, in the case of an elector filling up or purporting to fill up a form on behalf of any other elector, in pursuance of subsection (7) of this section, states in such form a false reason why that other elector did not vote,

shall be guilty of an offence.

Penalty: Two pounds.

(13) Proceedings for an offence against this section shall not be instituted except by the Chief Electoral Officer or an officer thereto authorized in writing by the Chief Electoral Officer.

*By Mr. Girouard:*

Q. Is the General Election Officer obliged to abide by the decision of the returning officers?—A. There is another part of this section where they are permitted to appear and appeal.

*By Mr. MacDonald (Cape Breton):*

Q. There must be a prosecution before some judicial officer. A man has a right to come before a tribunal and show he has a good reason?—A. Certainly.

Witness retired.

JULES CASTONGUAY, Chief Electoral Officer, called.

*By Mr. Kellner:*

Q. In answer to a question put to you last year, you said: "To my mind the whole thing hinges on the appointment of the Returning Officer. If they were chosen from provincial officers, such as sheriffs, registrars, and so forth, it would be a safeguard against happenings such as occurred in Athabaska." We were discussing the irregularities there. Just what method of appointing returning officers would you suggest?—A. At the time I made the suggestion that the provincial officers should have preference in the appointment of returning officers I felt that there was a sufficient number of these officers throughout the district to fill these positions.

*By Mr. Hanson:*

Q. Is it not a fact that sheriffs are usually appointed?—A. Formerly they were. In the olden days the writs were not directed to an individual, but to "The Sheriff of the County of Westmoreland," for instance.

Q. We always use the sheriff?—A. In some provinces they have followed that practice.

*By the Chairman:*

Q. It is your suggestion that certain specified provincial officers should be selected from whom to choose the returning officers?—A. My suggestion was that they be chosen as returning officers.

*By Mr. Hanson:*

Q. How would that work out in the case of the large cities like Montreal or Toronto, where there is only one sheriff and one prothonotary, but where there may be twelve or thirteen seats?—A. It would be more difficult in Montreal or Toronto, but these are the only two places.

[Mr. Jules Castonguay.]