

## APPENDIX "B"

## REGINA CITY ELECTION INQUIRY

*Report of Chief Justice Brown, Commissioner*

IN THE MATTER OF THE DOMINION ELECTIONS ACT AND IN THE MATTER OF AN INQUIRY INTO CERTAIN IRREGULARITIES ALLEGED TO HAVE OCCURRED IN THE ELECTORAL DISTRICT OF REGINA CITY IN THE PROVINCE OF SASKATCHEWAN, IN THE DOMINION ELECTION OF JUNE 27th, 1949.

Nelson Jules Castonguay, Esq.,  
Chief Electoral Officer for the Dominion of Canada,  
OTTAWA, Canada.

Sir:

I, James Thomas Brown, Chief Justice of the Court of King's Bench for the Province of Saskatchewan, having been duly nominated by Mr. Jules Castonguay, your predecessor in office, to make inquiry into certain alleged irregularities in connection with the election in the Electoral District of the City of Regina, at the Dominion Election held on June 27th, 1949, beg leave to report as follows:

The Inquiry was called for as the result of a letter of complaint dated July 26th, 1949, and made by Mr. John O. Probe, one of the candidates, which letter is as follows:

"John O. Probe  
Regina, Sask.

2043 Argyle Street,  
Regina, Sask  
July 26, 1949.

Mr. Jules Castonguay,  
Chief Electoral Officer,  
OTTAWA, Canada.

Dear Mr. Castonguay,

As provided for by the Dominion Elections Act Sec. 58 (2), I desire to refer to certain happenings in the recent election for a member to represent the constituency of Regina City in the House of Commons. I also urge that these become the subject of a full investigation by the Chief Electoral Officer or by a Parliamentary Committee to be followed by such further action as the findings may warrant.

On July 4th, last, the returning officer for Regina City officially opened the ballot boxes containing the poll documents for the purpose of adding the votes for the various candidates. Various official poll envelopes were found open or unsealed or mutilated as per Appendix A attached. There was no evidence to indicate whether the poll officials had acted contrary to the Dominion Elections Act Sec. 50 (5) or whether there had been subsequent tampering with the documents.

On July 12th, a recount of ballots was begun by Judge B. D. Hogarth, Regina District Court. In the course of this recount, His Honour rejected some 460 ballots otherwise properly cast and previously accepted by the deputy returning officers of the polls in which the ballots were first counted, (see Appendix B) The Judge rejected these ballots on the grounds that on each of them was a clearly discernible number, which had the effect of making possible