

more constables each, as may be authorized by the Returning Officer.

I think the change makes the clause rather different from what he intended.

Mr. GUTHRIE: The Returning Officer is on the spot, he has general control of the whole constituency, and he may know of conditions which lead him to fear a riot or other disturbance; the Chief Electoral Officer is here in Ottawa. I think the discretion should be invested in some one on the spot.

Mr. MACKENZIE KING: But the clause as now amended reads that in cities and towns returning officers may provide and locate one or more posses as may be authorized by the returning officer.

Mr. GUTHRIE: Oh yes. I should have moved, Mr. Chairman, that the words "as may be authorized by the Chief Electoral Officer" be stricken out.

Amendment agreed to.

Mr. GUTHRIE: Then I think to make the language of this section conform with that of many other sections we should add the words "and incorporated villages." In other sections wherever the phrase occurs it is in the form of "cities, towns and incorporated villages." I would therefore move that the words "and incorporated villages" be inserted after the word "towns" in line ten, and that the word "and" before "towns" be struck out.

Amendment agreed to.

Mr. ARTHURS: In connection with subsection 2 I see a decided objection to the language of the first sentence:

Constables shall be appointed to act at polling stations only in cases where the returning officer fears that otherwise disorder will result thereat.

In many constituencies, particularly in the outlying districts, the returning officer is many miles away from the polling subdivision, and it would be absolutely impossible for him to have any personal knowledge of the situation. The deputy returning officer would be the man with knowledge of local conditions. I suggest that the word "deputy" be inserted before "returning officer."

Mr. ROSS: Is this taken from the English Act?

Mr. GUTHRIE: We give every poll clerk the authority of a constable, and every deputy returning officer has the authority of a justice of the peace. Then by way of

[Mr. Mackenzie King.]

extra precaution the returning officer is empowered to provide a posse.

Mr. ARTHURS: We have always had that authority vested in the poll clerk and the deputy returning officer, but we have also always had a constable at these polls. Take any part of Northern Ontario or Western Canada, the returning officer does not know the local conditions at all, and a difficult situation may arise very suddenly.

Mr. GUTHRIE: There is another safeguard provided. Any candidate or his agent, or any two electors, may require any returning officer or deputy returning officer to swear, in such special constables as he deems necessary. I think there is ample provision for appointing constables.

Mr. SEXSMITH: Is it intended that a constable shall be appointed at every polling station?

Mr. GUTHRIE: No, not necessarily.

Mr. LEGER: I would like to have some information in reference to subsection 5, which reads:

Upon receiving the information the deputy returning officer may, on the polling day, but not afterwards, issue his warrant in form FF or GG, as the case may be, for the arrest of the person charged, in order that he may be brought before the magistrate,—

And so on. Surely the voting at the polls should not be held up in order that the deputy returning officer may be enabled to issue his warrant.

Mr. GUTHRIE: This also is merely an extra precaution. If a man wants to go to another magistrate there is nothing to prevent his doing so. But in case another magistrate is not available and quick action is necessary, authority is given to the deputy to issue at once a warrant for the arrest of the person charged. It would not take more than a moment to write out a warrant for a man's arrest. In any case, if there is a desire not to interrupt the deputy returning officer any one can take the ordinary process of law and go before another magistrate. The object of this is to have action taken on the spot so that the offender may not vote and get away.

Mr. LEGER: Deputy returning officers are not all lawyers; they may want to take time to get the warrant in shape. The polling might be delayed half an hour, and that would be most undesirable.

Mr. GUTHRIE: Does the minister think that that power should be taken away?