

*Dismissal of Returning Officer*

in these other countries and they should be on a permanent basis here. The act says that they should be, but they are liable to be removed from office on certain conditions, as set out in subsection (3) of section 8 of the act. What does section 8 of the act say? It reads as follows:

8 (1) The offices of all returning officers appointed prior to the passing of this act shall be deemed to be vacant . . .

In order that a new returning officer may be appointed.

I am speaking about Mr. Daniel H. Reed, who up until recently was the returning officer of the Davenport riding in Toronto. I continue:

. . . and the governor in council may appoint to such offices either the same persons as now hold them, any of such persons or any other persons. He may also thereafter appoint from time to time a returning officer for any new electoral district and a new returning officer for any electoral district in which the office of returning officer shall, within the meaning of the next following subsection, become vacant.

What are the reasons for the office becoming vacant? Paragraph (a) of subsection (3) of section 8 reads:

The governor in council may remove from office, as for cause, any returning officer who

(a) has attained the age of sixty-five years; or

I ask the minister this question in the strongest language I can: For what cause did he, because he is the minister, remove that good, honourable, Liberal citizen of Davenport riding who has served this country well for the past two general elections? The minister cannot give me any cause. No finger can be pointed at that man. He has done a good job for the country. I continue:

(b) ceases to reside in his electoral district; or

He still resides there and has resided there for years. I believe he is a past president or vice-president of the Liberal association of Davenport riding. He has been an honourable officer of the Liberal association of Toronto for years.

(c) is incapable, by reason of illness, physical or mental infirmity or otherwise, of satisfactorily performing his duties under this act; or

That man is as physically fit as the minister is or as I am, and I believe I am physically fit. Anyone who walks in my footsteps knows that I am physically fit.

(d) has failed to discharge competently his duties, or any thereof, under this act; or

If the minister asks the chief electoral officer—I cannot speak for him, but I know what he will say—he will tell him that he had no better returning officer in any of the

[Mr. MacNicol.]

245 ridings in the country. I know for a fact that he is highly thought of.

(e) has, at any time, after his appointment, been guilty of politically partisan conduct, whether or not in the course of the performance of his duties under this act.

I know that several returning officers have been discharged for partisanship, but this man has been fair to the Liberals, to my hon. friends to the left, to my hon. friends to the far left and to my party. He was also fair to the Labour-Progressive party. All of these parties had candidates in the last election. I myself ask no favours. All I want is fair play. All I want to have is a returning officer who is an honourable and honest man. I shall not pass any comment upon who may be appointed in his place—I do not know. The minister has not done me the courtesy of telling me that, although I have given nineteen years' service in this house. The man who takes his place may be of high calibre. I hope he is. I have nothing to say about him. All of these offices should be nonpolitical. The minister should at least have been courteous enough to tell me beforehand that he was going to discharge this competent and good man, and that he was going to put somebody else in his place. If he had done that I might have helped him out of this mess.

I am speaking today and warning him that from now until after the election day is over it is his duty to see that these election offices are conducted properly. Do not be spineless or permit yourself to be walked over by others who will try to push you around. Stand up as your predecessor did and say no to these people who try to push you to one side. I hope that after I speak the minister will go before cabinet council, ask for a rescinding of the order for whoever has been appointed, and return to office this good man who has been dismissed.

Some short time ago the chief returning officer asked all of the returning officers in Canada, in the city ridings in any event, to send in a list of their enumerators. I received a letter from him. My last opponent, Mr. Gunn, received a letter from him also. He was my Liberal opponent at the last election. He likely did what I did, communicated with the officials of his association. I was told over the telephone the other morning that this bitter attack has been made on the returning officer because he wrote letters to Mr. Gunn and myself—letters asking for the enumerators. That is most unfair. The act says that he has to do that. Rule (3) says:

At least five days before he proposes to appoint the persons who are to act as enumerators as aforesaid, the returning officer shall