

On section 68—adjournment if ballot boxes are missing, etc.:

Mr. MACKENZIE KING: This section is identical with the old Act, is it not?

Mr. GUTHRIE: All of it.

Section agreed to.

On section 70—recount by judge:

Mr. GUTHRIE: There are one or two clerical errors here. In line 28, page 52, appear the words "several returning officers." It should be "several deputy returning officers." I move that the change be made.

Amendment agreed to.

Mr. GUTHRIE: On line 21, page 53, there is a reference to section 66. It should be section 67.

Amendment agreed to.

Mr. MACKENZIE KING: There was some reference in the old Act, section 193, to the judges of the Superior Courts of Saskatchewan and Alberta. That reference is omitted in this clause, and I would ask if there is any significance in the change.

Mr. GUTHRIE: In Saskatchewan they have both Superior Court and District Court judges. The District Court judges correspond as nearly as possible with the County Court judges in the province of Ontario. It is to the District Court judges that these recounts go, and in the province of Ontario to the County Court judges. A different system is in vogue in the province of Quebec. There they have no County Court judges, and the recounts in that province go to the Superior Court judges. The proper officials now to conduct the recount in the province of Saskatchewan would be the District Court judges.

Mr. MACKENZIE KING: What about Alberta?

Mr. GUTHRIE: Alberta is the same now.

Mr. J. H. SINCLAIR: I would ask the minister why he left out section 201 in the old Act which provides that the judge may review the decision of a returning officer in case of the loss of a ballot box.

Mr. GUTHRIE: Section 201 is in as part of subsection 4:

He shall also, if necessary or required, review the decision of the returning officer with respect to the number of votes given for a candidate, etc.

There has been a re-arrangement of the old sections, but I think the sense and the language have been very well preserved.

[Mr. J. M. Douglas.]

Mr. MACKENZIE KING: Sections 99 and 201 of the old Act are combined?

Mr. GUTHRIE: Yes.

Section agreed to.

On section 71—procedure if the judge fails to comply.

The CHAIRMAN: Is it the desire of the committee that this clause be read?

Mr. GUTHRIE: It is purely formal.

Mr. MACKENZIE KING: Are there any clerical errors in it?

Mr. GUTHRIE: No.

Mr. MACKENZIE KING: This section is the same as that in the old Act?

Mr. GUTHRIE: Yes, word for word of each clause, I think.

Section agreed to.

On section 72—election return:

Mr. MACKENZIE KING: How long is it going to take a candidate to get back his deposit under subsection 5?

Mr. GUTHRIE: In the case of a recount it might take a couple of weeks, but ordinarily it should not take more than six days.

Mr. FIELDING: This question arose on a previous section.

Mr. GUTHRIE: There no limit was imposed on when the deposit should be returned.

Mr. FIELDING: I do not recollect whether my hon. friend gave us any particular reason why we should depart from the present practice whereby the returning officer pays over the money to the candidate.

Mr. GUTHRIE: In some cases the present practice has not been found very satisfactory, in fact, there have been great delays on the part of some returning officers in repaying the money, and it was thought it would be more secure and satisfactory if the deposit went to the Auditor General.

Section agreed to.

On section 74—report to speaker by Chief Electoral Officer of suggestion regarding working of law: to be submitted to Parliament.

Mr. MACKENZIE KING: That is all new.

Mr. GUTHRIE: It is consequent upon the new office that we have created. It was drafted by Mr. Gisborne, and I think it is a very useful section.

Section agreed to.