

General. The successful candidate is generally very promptly supplied with his by the sheriff or returning officer. Subsection 9 says that the returning officer shall give to the candidate or his agent a receipt for his deposit and send the money to the Auditor General.

Mr. GUTHRIE: The old section was section 98:

The sum so deposited by any candidate shall be returned in the event of his being elected or of his obtaining a number of votes at least equal to one-half the number of votes polled in favour of the candidate elected; otherwise, except in the case hereinafter provided for, it shall belong to His Majesty for the public uses of Canada, and shall be applied by the returning officer towards the payment of the election expenses, and an account thereof shall be rendered by him to the Auditor General of Canada.

I think under that he would get it back from the returning officer. Under the proposal as contained in the Bill he would only get it back from the Auditor General.

Mr. FIELDING: There may be some reason for it.

Mr. GUTHRIE: I think there was a reason.

Mr. MACKENZIE KING: The reason is given in the previous section. Now the deposit is made with the Receiver General instead of the returning officer.

Mr. H. A. MACKIE: Is there any provision for deferred elections?

Mr. GUTHRIE: There is later on.

Mr. PARDEE: Under section 40 it is provided that:

The Governor General in Council shall fix the day for the nomination of candidates and it shall be named in the writ of election.

Then section 55 provides that:

The poll shall be held on the fourteenth day next after the expiration of the day fixed for the nomination of candidates.

That is just two weeks. Is there any time provided between the issue of the writ and the nomination day?

Mr. GUTHRIE: No, the Governor in Council must fix that date.

Mr. PARDEE: Might not the Governor in Council fix it just a day or two prior to nomination?

Mr. GUTHRIE: No, he cannot do that; he must count up the days necessary for the preparation of the lists. My estimate is that 29 days are necessary under the Act.

[Mr. Fielding.]

Mr. GLASS: I would like to call the attention of the minister to subsection 2 of section 40, which says:

The place fixed for the nomination of candidates shall be the court house, city or town hall, or some other public or private building.

I submit that the words "private building" are rather vague and indefinite and that a returning officer who was disposed to be unfair might try to hold the nomination in a private house, a stable or any other place which might be inappropriate. In almost all the electoral districts there are certain public buildings, such as the town hall. I presume that a school house would be considered a public building. I think the words "public building" are too indefinite and might under some special circumstances be taken advantage of by a returning officer to hold the nomination in a place where the electors could not conveniently assemble to do justice to an occasion of that kind. I do not think the use of the words "private building" is necessary at all, because I believe there will be a public building in every district and doubtless there will be a school house.

Mr. GUTHRIE: Suppose there was not? This is the old section and it is only an extra safeguard. If there are no public building it might be held in a private building. Suppose a storm blew the public building down?

Mr. DENIS: It should at least be stipulated that a private building can only be used where there was no public building. This provision does not exist in the Act now?

Mr. GUTHRIE: Yes, it is the same section exactly as section 92 of the old Act.

Mr. FIELDING: There might be difficulty in getting a public building available. I presume that is the object.

Mr. GUTHRIE: In some of the larger constituencies in the West the public building might be at one end of the constituency whereas a private building in a central part of the riding might be more conveniently used.

Mr. DENIS: Where there is a court house is it optional on the part of the returning officer to hold the meeting in a private building?

Mr. GUTHRIE: I suppose under the clause he could do so if he so determined.

Mr. DENIS: It should not be optional.