

## CORRESPONDENCE.

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*Re Voters' Lists.*

TO THE EDITOR OF THE LAW JOURNAL :

SIR,—The 4th Sec. of the Act of last session (1877) of Ontario Parliament, amending the Voters' Lists Act of 1876, will, I am afraid, somewhat puzzle some of the clerks whose duty it may be to act thereunder. It provides that the alphabetical list to be made by the clerk of every municipality, etc., shall hereafter be in three parts :

1. The first part is to contain the names of *all male persons* \* \* \* appearing to be assessed for the real property or income requisite to entitle them to vote in the municipality at *both* municipal and parliamentary elections.

2. The second part is to contain the names of *all other persons* appearing \* \* \* to be entitled to vote at municipal elections *only*.

3. The third part is to contain the names of *all other male persons* \* \* \* appearing, etc., to be entitled to vote at parliamentary elections only, etc.

The qualification for electors for parliamentary elections is given in sub-sec. 1 of sec. 5 of 32 Vict. (O.) cap. 21, as follows : In cities, \$400 ; in towns, \$300 ; in villages, \$200 ; in townships, \$200. For municipal elections, in sec. 78 of 36 Vict. (O.) cap. 48, as follows : In cities, \$400 ; in towns, \$300 ; in villages, \$200 ; in townships, \$100.

In cities, towns and villages, therefore, the qualification for municipal and parliamentary electors seems to be identical. How then, in such places, can a clerk make up either a second or third part as directed by sub-secs. (b.) and (c.)? How can a list be made which shall contain the names of persons appearing by the assessment roll to be municipal electors *only* ? or parliamentary electors *only* ? and these are to be *other persons* besides those

whose names are contained in the first part, which apparently must contain the names of *all* electors in the places mentioned.

Did the Legislature intend any special meaning by using the expressions, "*all male persons*" in sub-sec. (a.), "*all other persons*" in sub-sec. (b.), and "*all other male persons*" in sub-sec. (c.)? Why was the form of expression so varied? Should the second part of the list contain the names of *females*, such being expressly excluded from the other parts?

By giving the above matter your kind attention, and an expression of your opinion thereon through the LAW JOURNAL, you will, I am sure, confer a favour on many of your readers.

Yours truly,

E. M.

[We do not think the Legislature intended any special meaning by omitting the word "*male*" in sub-sec. (b). It was doubtless omitted by the draughtsman, and the omission was carelessly passed over by a Legislature remarkable for its careless legislation. The context shews that it can only refer to those entitled to vote, to wit : *males*.

As to the previous question asked, it is apparently intended that the first part of the list shall contain the names of all persons entitled to vote at *both* elections ; the second part those not contained in the first part, but who are entitled to vote at municipal elections only, but are in some way disqualified for voting at parliamentary elections ; and the third part is to contain those who in like manner are qualified to vote at parliamentary elections, but not at municipal elections. In townships, the second part will evidently contain a list of voters below \$200, who are not entitled to vote at *both* elections.]