

THE FRANCHISE ACTS.

THE Provincial laws regarding the right of women to vote is disregarded and Germans, Austrians and others who are not allowed to vote are excused from combatant military or naval service—this is contrary to the British practice—see Decision of Appeal Court of England.

At the 1917 Session of Parliament two Acts were passed with reference to the Franchise. The first of these is known as "The Military Voters' Act", (Soldiers' Voting Act) and is designed to provide for the voting of the military electors, male and female, engaged in Overseas service. The other Act is "The War-Time Elections Act", providing for the taking of the vote in Canada of all electors in Canada. These two acts have to be read with the Elections Act as it stood for many years, and also with the Naturalization Act.

Military Elector.

The Military Voters' Act defines a Military Elector as below.

(c) "Military elector" means and includes every person male or female, who, being a British subject, whether or not ordinarily resident in Canada and whether or not an Indian, has been, while within or without Canada, appointed, enlisted, enrolled or called out for and placed on active service as one of the Canadian Expeditionary Force, the Royal Canadian Navy, the Canadian Militia on active service, or the Royal Naval Canadian Volunteer Reserve, or has been, while within Canada, appointed, enlisted or enrolled as one of the British Royal Flying Corps, Royal Naval Air Service, or Auxiliary Motor Boat Patrol Service, whether as officer, soldier, sailor, dentist, nurse, aviator, mechanic or otherwise, and who remains one of any such forces, or services or has been honourably discharged therefrom, or in the case of an officer who has been permitted to resign or without fault on his part has had his services dispensed with, and every person, male or female, who, being a British subject ordinarily resident in Canada, whether or not a minor or an Indian, is on active service in Europe in any other of the forces or services, military or naval, of His Majesty or of His allies.

(1) Every military elector shall be qualified and entitled to vote at a general election.

(2) If he can state the electoral district wherein he last continuously resided during at least four months of the twelve months immediately preceding his appointment enlistment, enrolment or calling out on active service, or so particularly specify a place or places within an electoral district whereat during such period of time he so resided that such electoral district can therefrom be ascertained, he shall be deemed an elector of the electoral district so stated or to be ascertained, and his vote shall be applied thereto.

(3) If he cannot state or so specify an electoral district or place wherein he has so resided for the time and within the period mentioned in subsection two but can state an electoral district or so specify a place within Canada wherein he has at any other time resided, he shall be deemed an elector of the electoral district so stated or made ascertainable and his vote shall be applied thereto.

(4) If he cannot, because of non-residence or otherwise, so state or specify, he shall be deemed an elector of, and his vote shall be applied to, such electoral district as he may indicate.

(5) No person shall be entitled, because of anything in this Part contained, to vote more than once at any election.

Qualifications for Civilian Male and Female Electors.

The qualifications required of other electors is set out in "The War-Time Elections Act" which

amends the old Act. The new act provides as follows:

(1) The qualifications necessary to enable any male person to vote at a Dominion election in any province shall, except as by this Act otherwise provided, be those established by the laws of that province as necessary to entitle such male person to vote in the same part of the province at a provincial election:

(2) Except in the province of Quebec and notwithstanding anything in this Act contained, in preparing or adding to the voters' lists provided for by this Act, the qualifications as to residence and domicile of electors shall, in any province where there is no relevant or applicable provision to the contrary, be residence for one year in the Province and residence and domicile in the electoral district for thirty days, both of said periods to be fixed by reference to the date of the writ of election, provided that the requirements of this section as to domicile shall apply only to such provinces as by their law applicable to provincial elections require domicile as one of the qualifications of an elector.

(3) In the province of Quebec notwithstanding anything in this Act contained, the qualifications as to domicile of female voters shall be domicile at the date of the said writ of election.

Every female person shall be capable of voting and qualified to vote at a Dominion election in any province or in the Yukon Territory, who, being a British subject and qualified as to age, race and residence as required in the case of a male person in such province or in the Yukon Territory, as the case may be, is the wife, widow, mother, sister or daughter of any person, male or female, living or dead, who is serving or has served without Canada in any of the military forces, or within or without Canada in any of the naval forces of Canada or of Great Britain in the present war. Provided that this section shall not apply to the wife, widow, mother, sister or daughter of a person no longer serving as aforesaid unless such person has died in or has been honourably discharged from such service or in the case of an officer has died in or has been permitted to resign from such service or has been dispensed by competent authority from further service, or in any case has died after honourable discharge, -resignation by permission or dispensation from further service as aforesaid.

(2) Such naval forces of Canada shall be deemed not to include members thereof engaged within Canada who may become members after the passing of this Act.

Civilian Voters.

(1) The franchise is extended to the wives, mothers, sisters and daughters of members of the Canadian forces overseas, and Naval forces in Canada or Britain.

All other women are excluded from the right to vote although the Provincial laws in several of the Provinces grant the right and the Dominion law presumes to adopt the Provincial Franchise but instead it proceeds to discard it.

(2) The Bill disqualifies, for the war time election, those of alien enemy birth, or of other European birth, within enemy jurisdiction, and of alien enemy mother tongue or native language, who have been naturalized in Canada since March 31st, 1902. (The sons of these men no matter where born may vote. See comment below on section 36 of naturalization act.)

From this class are exempted those of this class who have sons, grand-sons or brothers in the overseas forces. Armenians and Syrians known to be out of sympathy with Turkey are also excepted. Former American citizens naturalized in Canada, are not disqualified.

To appease those disqualified as set out in Paragraph 2, they are exempted "from combatant