

Sir SAM HUGHES: The provincial franchise?

Mr. MEIGHEN: The provincial franchise, subject to the operation of the two principles I have described in the foregoing part of my address, is adopted in every province including Alberta and Saskatchewan.

Franchise, of course, is one thing and list making is another. The alterations in the franchise, described in that portion of the Bill dealing with the franchise which alterations I have endeavoured to explain so far, were such that there had to be variations in the elections Act to enable the lists to be made. For example, in British Columbia and Manitoba, the lists that are now made contain the names of all women as well as of men; consequently we have addressed ourselves to the task of providing for the making a list to meet the franchise requirements of this legislation. In the provinces of Alberta and Saskatchewan there are no provincial lists and by our own Dominion Elections Act, which has been in force since 1905—indeed, I think before—the Dominion provides machinery for the making of the lists. By this Act the machinery which heretofore has been applicable only to the provinces of Alberta and Saskatchewan is made applicable to all those provinces where the present lists are such that new lists are necessary; namely to the four western provinces of British Columbia, Alberta, Saskatchewan and Manitoba and as well to Prince Edward Island. It was impossible to use any lists to be found in those provinces and consequently the machinery which has been in force for twelve years as to the provision of lists in Alberta and Saskatchewan is made applicable to the other three provinces.

This application, however, is subject to certain safeguards that have not heretofore existed. In the provinces of Alberta and Saskatchewan the lists are made by enumerators appointed by the Governor in Council or by returning officers, and are posted up eight days before the polling day and then are subject to certain revision by enumerators up to two days before the polling day when they are final, save with this proviso, that any voter can go to the polls on polling day and by taking the oath that he has the right to vote, cast his ballot in the same way as can any other voter who is on the list. That has been the law all along in these two provinces. In the province of Alberta there has been for provincial contests a partial safeguard provided

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against the practice of swearing in votes on election day.

We adopt in principle the safeguard so provided, but we extend it. I shall describe that safeguard as we adopt it. Wherever a voter is not on the list as made up by the enumerator and claims a right to vote and swears that he has a right to vote, he is on being refused able to go in and vote on election day. He is first entitled to and receives a certificate of refusal from the enumerator. He makes an affidavit of his right. His vote, however, is placed in an envelope, and on any recount, should it appear that there are enough votes placed in envelopes to affect a recount, the right to that vote is reviewed by a judge, and the vote is allowed if the voter had the right. Such is, substantially, the safeguard that has heretofore obtained in provincial elections in Alberta.

We, however, extend that safeguard much further. Not only may a man vote to whom the enumerator has refused a vote—his vote to go in an envelope and be afterwards judicially reviewed, but the vote of any man who is put on by an enumerator and whom the agent of any candidate claims should not be put on may be challenged by that agent by affidavit asserting his belief that the voter has not the right to vote and giving the reasons. If the agent does so that vote also goes in an envelope and is subject to the very same review. Consequently it will be seen that, while we adopt the provisions of the provinces of Saskatchewan and Alberta which have been in effect by Dominion legislation since 1905, we adopt safeguards against any work of the enumerator that might be objected to, with the ultimate result that the whole of the enumerator's work may, if desired, be subjected to judicial revision. It will, I think, appear to all that the objections that have heretofore been levelled, with some force, against the list-making provisions enacted in this House and applicable to Alberta and Saskatchewan, are eliminated in this Bill, and that such safeguards are provided as will render the making and operation of those lists absolutely fair.

I have covered the method so far as it applies to the four western provinces and Prince Edward Island. There are left the provinces of Ontario and Quebec, New Brunswick and Nova Scotia. In those provinces the women are not on the list last made up. In the province of Ontario the list last made up was prepared last fall and completed, I believe, in December. It