

naturalized there has no right to vote in Canada to-day. He is no longer a British subject when he becomes naturalized in a foreign country, and under the Franchise Act he cannot vote, he cannot be placed on the list, and he cannot take the oath as it stands to-day, because he cannot truthfully swear that he is a British subject either by birth or by naturalization. Perhaps he was a British subject once by birth, but he cannot swear that he is to-day. That there may be no doubt whatever on this subject, I will refer the House to the Naturalization Act in the Revised Statutes on the subject of "Repatriation," and there it is laid down that

"Any British subject who has voluntarily become naturalized in a foreign state shall, from and after the time of his so having become naturalized in such foreign state, be deemed within Canada to have ceased to be a British subject, and shall be regarded as an alien."

Now, a man who has ceased to be a British subject has no right, in the first place, to be placed upon the voters' list under the Act, because only British subjects can be placed there, and he cannot take the oath truthfully, because he has to swear that he is a British subject by birth or by naturalization. Therefore, the introduction of this additional clause proposed by the hon. gentleman, "and am not a subject of any foreign country," while, perhaps, it will not do any particular harm, does not work any reform in the law as it stood. It does not do any good. I will not refer to any former debate, but I think I have a distinct recollection, indeed I know, that the hon. member for East Grey (Mr. Sproule) was on one occasion very loud in his expression of opinion that the only thing necessary to make the law perfect and to stop non-residents voting, was a Bill such as the hon. member proposes now. I think I heard the hon. member for Assiniboia (Mr. Davin) say the same thing, and I think the Minister of Justice even did not, on that occasion, point out to the hon. member who is moving this Bill to-day, that a British subject who became a naturalized citizen in the United States, was no longer a British subject and could not vote. The hon. gentleman thinks that it does no harm to make this change. If he puts it on that ground, and will admit that it is not necessary, then, I think, there may be something in his Bill; but he cannot surely pretend that he is going to effect a great reformation in the election law.

Mr. LISTER. I think the Bill which my hon. friend has introduced to the House is one that should receive the approbation of this House. If it has the effect of making clear what before was somewhat confused, it will be advantageous. Any person who has any experience at all in election matters knows perfectly well that so far as marking the ballots is concerned, many deputy returning officers throughout the country not only initial the ballots, but they also number them, which is against the law. The provisions of this Act make it perfectly clear that the numbering of the ballots should not take place, and that only the initials of the deputy returning officer are allowed upon the ballot which is handed to the voter. Then again, as respects the affidavit, or oath, which the voter has to take on presenting himself to vote, I think the amendment of my hon. friend is one which should receive favourable consideration. As I stated a moment ago, it makes clear what was before con-

Mr. EDGAR.

fused. We all know that many men present themselves to vote who have become citizens of the United States, and they satisfy their conscience by swearing that they are British subjects by birth. There is an idea prevalent throughout this country that once a British subject, always a British subject, that nothing he can do divests himself of that natural allegiance that he owes to his country by birth. I think it is safe to say that during the last election hundreds and hundreds of people who have taken the oath of allegiance to a foreign state, and have, under the law as it is, no right to vote, satisfied their conscience by declaring that they were British subjects by birth. This section makes it clear that if they have become subjects of a foreign state they lose their right of franchise under the law of this country. For these reasons this Act shall receive my support, and I think it ought to receive the support of hon. gentlemen who want to make the law perfectly clear. It may be, as my hon. friend at my right says, that under the law as it is, they have no right to vote, and their names ought to be struck off the first list. But who looks after the first list? When you come to make out your list then you find out whether a man has really a right to vote or not on the ground of being an alien. That is the time you object to him, and although men have over and over again been challenged, they have taken this oath, believing they were entitled to vote, and they did vote. This law makes it clear, and I think it should receive our support.

Sir JOHN THOMPSON. I desired to make remarks very much in the line of those which the hon. gentleman has just made. I do not think any one overlooks the fact that a British subject who renounces his allegiance to Great Britain and becomes a subject of a foreign country, is no longer a British subject. But that is not the point. The point is that our statutes at present do not, at any rate with clearness, proscribe such person from voting or from being on the election list. For my part I have no doubt whatever, except such doubt as arises from the opinions expressed by lawyers just now—I have never had any doubt that such persons have an absolute legal right to vote, because the only thing we ask is the oath which requires them to say they are British subjects by birth or by naturalization. Undoubtedly, although a man may have renounced his allegiance to Great Britain and be no longer a British subject, he is a British subject by birth, and if the intention of Parliament was, as it probably was, to prevent such persons from voting as being no longer British subjects, the least that we can do is to make the law plain. I think the current opinion is that such persons have a legal right to vote. The hon. member for Lambton (Mr. Lister) says hundreds of persons voted in the last election who had renounced their allegiance to Great Britain and had become subjects of a foreign country; they took the oath and satisfied their consciences in the belief they had a right to do so. I may indicate to the House that if it should be the pleasure of the House that the Bill should be read a second time now, I will move that it be referred to a sub-committee. There are other Bills on the Order paper touching the same subject, some provisions of which it may be wise to adopt, and it would be convenient for the Committee to weld these together, so that we may have one Bill on the one subject.